

SANDON PARISH COUNCIL

**SANDON NEIGHBOURHOOD
PLAN**

2022 – 2036

BASIC CONDITIONS STATEMENT
(INCLUDING AREA STATEMENT)

MARCH 2023



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2022 - 2036

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MARCH 2023

Sandon Parish Council

Recreation Ground

Rectory Chase

Sandon

Chelmsford, CM2 7SQ

<https://sandonparishcouncil.co.uk/>

<https://ndp4sandon.co.uk/>

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1. Introduction

This document

- 1.1 This Basic Conditions Statement has been produced to accompany the Sandon Neighbourhood Plan. It sets out how the Basic Conditions prescribed by Paragraph 8(2) of Schedule 4B to the Town & Country Planning Act 1990 are considered to have been met. The Basic Conditions are:
- Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the Neighbourhood Plan.
 - The making of the Neighbourhood Plan contributes to the achievement of sustainable development.
 - The making of the Neighbourhood 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).
 - The making of the Neighbourhood Plan does not breach, and is otherwise compatible with, EU obligations.
 - Prescribed conditions are met in relation to the Neighbourhood Plan and prescribed matters have been complied with in connection with the proposal for the Neighbourhood Plan. The prescribed condition is that the making of the Neighbourhood Plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2012) or an offshore marine site (as defined in the Offshore Marine Conservation (Natural Habits Regulations 2007) (either alone or in combination with other plans or projects).
- 1.2 There are two further basic conditions but these only apply to the making of a Neighbourhood Development Order and are thus not considered relevant for this document.

Other supporting documents

- 1.3 The Sandon Neighbourhood Plan is supported by a Consultation Statement and this Basic Conditions Statement (incorporating an Area Statement).
- 1.4 The Neighbourhood Plan also makes use of evidence prepared by and on behalf of Chelmsford City Council as part of the Local Plan process. These and other documents are referenced as appropriate in the Neighbourhood Plan and include:
 - Sandon Neighbourhood Plan Consultation Statement.
 - Sandon Neighbourhood Plan Strategic Environmental Assessment (SEA) / Habitats Regulation Assessment (HRA) Screening Report (included in the appendix to this Basic Conditions Statement).
 - Sandon Neighbourhood Plan Equalities Impact Assessment.

Key statements, including Area Statement

- 1.5 The Sandon Neighbourhood Plan has been prepared and submitted to Chelmsford City Council by Sandon Parish Council. The Parish Council is the qualifying body and is entitled to submit a Neighbourhood Plan for the Sandon Parish Council area.
- 1.6 The Sandon Neighbourhood Plan sets out policies that relate to development and the use of land within the neighbourhood area, as shown in Figure 1. The Neighbourhood Area was designated in October 2017 (see Appendix A). The boundary of the Neighbourhood Plan area is the same as the Parish Council boundary.
- 1.7 The Neighbourhood Plan does not relate to more than one neighbourhood area. There are no other adopted Neighbourhood Development Plans which cover the neighbourhood area.
- 1.8 The Neighbourhood Plan covers the period 2020 to 2036. This is in line with the Chelmsford City Council Local Plan, which has the same time horizon.
- 1.9 The Neighbourhood Plan does not contain any policies which relate to excluded development as defined by section 61k of the Town & Country Planning Act 1990.

SANDON PARISH BOUNDARY

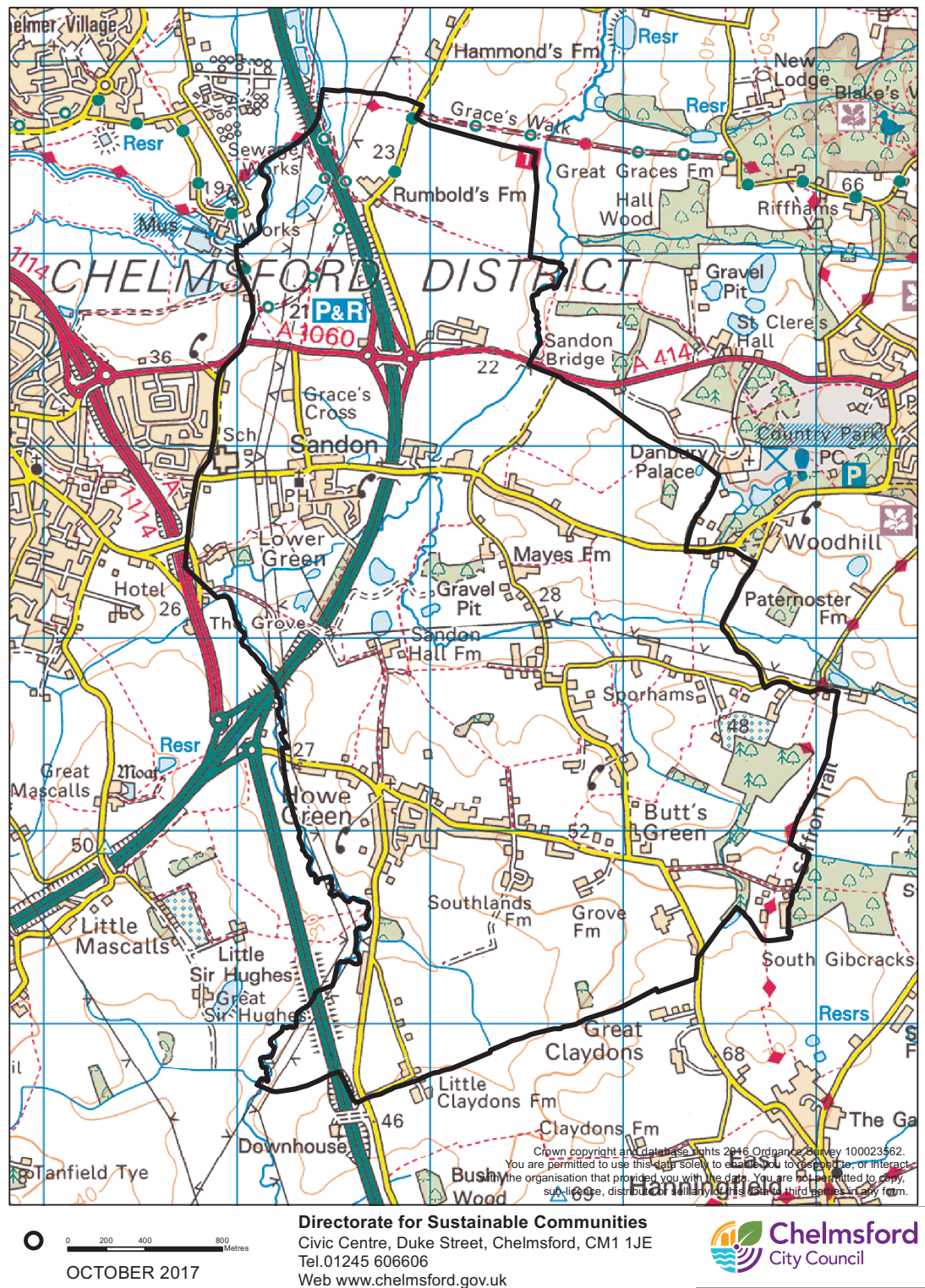


Figure 1. The designated Sandon Neighbourhood Plan Area

Vision and objectives

- 1.10 The Basic Conditions Statement refers, where appropriate, to the vision and objectives stated in the Neighbourhood Plan. They are:

Vision

- 1.11 ***"In 2036 Sandon will continue to be an attractive historic Parish with its Village Greens, surrounded by open countryside and with a range of good quality housing, recreational and other facilities that meet the needs of local people while maintaining a cohesive and integrated rural community".***

Objectives

- 1.12 **Objective 1:** To protect and enhance biodiversity and the natural environment of the Parish which will help respond to the threat of climate change, maintain the rural character of the Parish and its separation from nearby communities.
- 1.13 **Objective 2:** To preserve and where possible enhance the historic character of the Parish and to enhance the quality of the built heritage and their setting, archaeology and historic landscape features.
- 1.14 **Objective 3:** To protect and enhance open green spaces and recreational facilities within the Parish, ensuring spaces are multifunctional in order to maximise health and well-being benefits to the community and to provide good access to these amenities.
- 1.15 **Objective 4:** To support housing that responds to the needs of all sectors of the community , including market and affordable housing, 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 and reflect quality of place, the character and quality of the built and natural environment.
- 1.16 **Objective 5:** To require that new developments are designed to ensure Sandon continues to be a sustainable settlement.
- 1.17 **Objective 6:** To require that the infrastructure within the Parish has the capacity to accommodate new development without adversely affecting the local environment.
- 1.18 **Objective 7:** To actively support measures for connectivity for the proposed new large scale developments to the north of the Parish with the rest of the Parish.
- 1.19 **Objective 8:** To support and improve local community facilities such as the Churches, Pub, garden centre and Village Hall and Sports Club.
- 1.20 **Objective 9:** To support measures to improve highway safety, reduce the speed and quantity of through traffic, and improve sustainable transport options such as cycle ways, bus services and the local footpath network.

- 1.21 **Objective 10:** To support initiatives which meet the needs of the local economy and local businesses, while at the same time preserving the rural nature of the village. Employment opportunities in residential areas will be supported where they are appropriate to Sandon in terms of scale, character, and traffic impact.

Neighbourhood Plan policies

- 1.22 The policies within the submission version Neighbourhood Plan are:

SAN H1	Sandon Village setting
SAN H2	Housing mix, type and tenure
SAN D1	Design and character in Sandon Parish
SAN G1	Protection and enhancement of the natural environment
SAN T1	Promoting active and healthy travel
SAN CF1	Community facilities
SAN E1	Employment development
SAN C1	Communication technology

Neighbourhood Plan projects

- 1.23 In addition to the policies listed above the Neighbourhood Plan also includes a set of wider projects and community aspirations. These do not comprise land use and development policies and are not subject to the same tests of the Basic Conditions, but are listed below for comprehensiveness and referred to as appropriate in the Basic Conditions Statement.

Walking and cycling improvements
Road safety improvements
New community sports facility

2. National Planning Policy

Introduction

- 2.1 The Neighbourhood Plan must show that it has regard to national policies contained in guidance issued by the Secretary of State. This is principally provided by the 2021 version of the National Planning Policy Framework (NPPF)¹ and associated Planning Practice Guidance (PPG) published by the Department of Levelling Up, Housing and Communities.
- 2.2 The NPPF states at paragraph 18 that neighbourhood plans should contain non-strategic policies. At paragraph 21 it states that strategic policies (in the Development Plan) provide a clear starting point for non-strategic policies and that strategic policies *'should not extend to detailed matters that are more appropriately dealt with through neighbourhood plans or other non-strategic policies'*.
- 2.3 The power of a neighbourhood plan is clearly set out in paragraph 30 of the NPPF, which states that *'once a neighbourhood plan has been brought into force, the policies it contains take precedence over existing non-strategic policies in a local plan covering the neighbourhood area'*.
- 2.4 This section demonstrates that the Sandon Neighbourhood Plan has regard to relevant goals within the 2021 NPPF in relation to:
- Delivering a sufficient supply of homes
 - Building a strong, competitive economy
 - Ensuring the vitality of town centres
 - Promoting healthy and safe communities
 - Promoting sustainable transport
 - Supporting high quality communications
 - Making effective use of land
 - Achieving well-designed places
 - Protecting Green Belt land
 - Meeting the challenge of climate change, flooding and coastal change
 - Conserving and enhancing the natural environment
 - Conserving and enhancing the historic environment
 - Facilitating the sustainable use of minerals
- 2.5 The Sandon Neighbourhood Plan has ten primary objectives. We summarise them in Table 1 below and identify which NPPF goals each objective addresses. The sections following this provide a summary of how policies in the Sandon Neighbourhood Plan conform to the 2021 NPPF goals.

¹ <https://www.gov.uk/guidance/national-planning-policy-framework>

Table 1. Alignment of Sandon NDP Objectives with NPPF

Sandon Neighbourhood Plan Objective	Relevant NPPF goals
<p>Objective 1:</p> <p>To protect and enhance biodiversity and the natural environment of the Parish which will help respond to the threat of climate change, maintain the rural character of the Parish and its separation from nearby communities.</p>	<ul style="list-style-type: none"> Conserving and enhancing the natural environment (Section 15 of the NPPF).
<p>Objective 2:</p> <p>To preserve and where possible enhance the historic character of the Parish and to enhance the quality of the built heritage and their setting, archaeology and historic landscape features.</p>	<ul style="list-style-type: none"> Conserving and enhancing the historic environment (Section 16 of the NPPF).
<p>Objective 3:</p> <p>To protect and enhance open green spaces and recreational facilities within the Parish, ensuring spaces are multifunctional in order to maximise health and well-being benefits to the community and to provide good access to these amenities.</p>	<ul style="list-style-type: none"> Promoting healthy and safe communities (Section 8 of the NPPF).
<p>Objective 4:</p> <p>To support housing that responds to the needs of all sectors of the community , including market and affordable housing, 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 and reflect quality of place, the character and quality of the built and natural environment.</p>	<ul style="list-style-type: none"> Delivering a sufficient supply of homes (Section 5 of the NPPF).
<p>Objective 5:</p> <p>To require that new developments are designed to ensure Sandon continues to be a sustainable settlement.</p>	<ul style="list-style-type: none"> Achieving well-designed places (Section 12 of the NPPF).
<p>Objective 6:</p> <p>To require that the infrastructure within the Parish has the capacity to accommodate new development without adversely affecting the local environment.</p>	<ul style="list-style-type: none"> Promoting healthy and safe communities (Section 8 of the NPPF). Supporting high quality communications (Section 10 of the NPPF).

<p>Objective 7:</p> <p>To actively support measures for connectivity for the proposed new large scale developments to the north of the Parish with the rest of the Parish.</p>	<ul style="list-style-type: none"> Promoting sustainable transport (Section 9 of the NPPF).
<p>Objective 8:</p> <p>To support and improve local community facilities such as the Churches, Pub, garden centre and Village Hall and Sports Club.</p>	<ul style="list-style-type: none"> Promoting healthy and safe communities (Section 8 of the NPPF).
<p>Objective 9:</p> <p>To support measures to improve highway safety, reduce the speed and quantity of through traffic, and improve sustainable transport options such as cycle ways, bus services and the local footpath network.</p>	<ul style="list-style-type: none"> Promoting sustainable transport (Section 9 of the NPPF).
<p>Objective 10:</p> <p>To support initiatives which meet the needs of the local economy and local businesses, while at the same time preserving the rural nature of the village. Employment opportunities in residential areas will be supported where they are appropriate to Sandon in terms of scale, character, and traffic impact.</p>	<ul style="list-style-type: none"> Building a strong, competitive economy (Section 6 of the NPPF). Making effective use of land (Section 11 of the NPPF).

Delivering a sufficient supply of homes

NPPF Section 5, paras 60 - 80

2.6 The Local Plan allocates land in the Parish (on the urban edge of Chelmsford) for strategic scale growth. The Neighbourhood Plan does not allocate any additional land over and above this but recognises that proposals for windfall development will come forward over the Plan period. In particular:

- Policy SAN H2** supports the NPPFs intention of delivering a sufficient supply of homes by supporting proposals for development that contribute to a balanced mix of housing and help meet local needs, including delivery of First Homes.
- Policy SAN D1** also recognises that proposals for development will come forward in the area and where they do, they should respond to the rural character of the area.

Building a strong, competitive economy

NPPF Section 6, paras 81 - 85

- 2.7 The Sandon Neighbourhood Plan conforms to para 84 of the NPPF which supports a prosperous rural economy in that **Policy SAN E1** supports proposals for new small, local businesses, the expansion and diversification of existing businesses. Policy SAN E1 also points to other policies in the NDP, such that development respects the rural character of the Parish.
- 2.8 The Plan also recognises the importance of good broadband and mobile services, particularly for home working and the changes in working patterns experienced since the onset of the Covid pandemic. **Policy SAN C1** states that new developments should be capable of receiving good connections, and that the roll-out of super-fast services to existing properties is also supported.

Ensuring the vitality of town centres

NPPF Section 7, paras 86 - 91

- 2.9 Sandon Neighbourhood Plan does not have a defined town centre but does include policies that support local centre services and facilities, and thus support day-to-day life of a rural community. In particular, **Policy SAN E1** supports proposals for local businesses, and **Policy SAN CF1** seeks to protect and enhance community facilities, as well as supporting new facilities, especially where they are located in locations that are easily accessible to all and provide for a range of activities. In the context of Sandon, community facilities are important to the health and social well-being of the community, being places where people of all ages can come together, fostering a more social inclusive and cohesive place.

Promoting healthy and safe communities

NPPF Section 8, paras 92 - 103

- 2.10 The NPPF states that planning policies should aim to achieve healthy, inclusive and safe places. Relevant policies in the Sandon Neighbourhood Plan are:
- **Policy SAN D1**, which supports proposals that are assessed through the Chelmsford City Council Livewell Accreditation Scheme. This scheme provides a practical way for developers and housebuilders to demonstrate how they have incorporated the wider elements of health and wellbeing benefits throughout their design, from meeting high-quality home standards to creating environments that support cohesive communities.

- **Policy SAN T1**, which supports provision of new walking and cycling routes. This is supported by project / aspirations in respect of walking and cycling improvements as well as road safety improvements. These are intended to help make active and healthy travel a more attractive proposition and reduce reliance on the private car, supporting healthier lifestyles.
- **Policy SAN CF1**, which supports the retention, improvement and provision of new community facilities, particularly where they are in accessible locations and can accommodate a range of activities providing for a range of groups and interests.

Promoting sustainable transport

NPPF Section 9, paras 104 - 113

- 2.11 **Policy SAN T1** of the Neighbourhood Plan promote sustainable transport through active travel routes well incorporated into new development and linking with major growth areas and supporting facilities being provided on the edge of the Parish / Chelmsford Urban area. The policy requires infrastructure to be well integrated in development such that it is safe, attractive and convenient to use. It is supported by project / aspirations in respect of walking and cycling improvements as well as road safety improvements that help make walking and cycling a more attractive proposition.

Supporting high quality communications

NPPF Section 10, paras 114 - 118

- 2.12 **Policy SAN C1** of the NDP seeks to ensure that proposals for new developments or expansion of existing properties should be capable of receiving high speed and reliable mobile and broadband connectivity. It therefore aligns with the NPPF, which at para. 114 recognises that “advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being.”

Making effective use of land

NPPF Section 11, paras 119 - 125

- 2.13 The NPPF states that planning policies and decisions should promote effective use of land. Relevant policies in the Sandon Neighbourhood Plan are:
- **Policy SAN H1**, which supports development that makes use of previously developed land or buildings, in line with para 120(d) of the NPPF.

- **Policy SAN D1**, which seeks to ensure that new development responds to the prevailing character and setting of the area, as per NPPF para 124(d), including the rural character and open nature of the Parish.
- **Policy SAN G1**, which seeks to protect and retain natural features.

Achieving well-designed places

NPPF Section 12, paras 126 - 136

- 2.14 This section of the NPPF stresses the importance of high quality design in buildings and places. The Sandon Neighbourhood Plan draws upon the earlier Village Design Statement which identifies character areas and qualities that should be reflected in new development. This is summarised in the NDP and referenced in **Policy SAN D1**.
- 2.15 This Policy also expresses support for those schemes that have been subject to the City Council Livewell Accreditation scheme, including independent design review: one of the tools recommended at national level to help shape and deliver well-designed places.
- 2.16 **Policy SAN H1** of the NDP also stresses the importance of the open setting and character of Sandon village and noting that development should respond positively to this.

Protecting Green Belt land

NPPF Section 13, paras 137 - 151

- 2.17 Chelmsford City Council has through the Local Plan assessed the Green Belt and suitability of retaining or releasing land from this for development. The Neighbourhood Plan does not propose to make any amendments to the Green Belt and therefore does not include any policies relating to this, instead deferring to national and Local Plan policies.

Meeting the challenge of climate change, flooding and coastal change

NPPF Section 14, paras 152 – 173

- 2.18 This section of the NPPF supports the transition to a low carbon future. Relevant policies in the Sandon Neighbourhood Plan are:

- **Policy SAN G1**, which helps in moderating the impacts of development on climate change through the preservation and provision of new green infrastructure. This aligns with the NPPF which encourages development to be planned in a way that reduces climate vulnerability through the provision of green infrastructure.
- **Policy SAN D1**, which supports proposals that incorporate sustainable building design and construction measures, and which minimise waste through re-use and recycling.
- **Policy SAN T1**, which supports active and healthy modes of transport, including walking and cycling. This conform to the NPPF's aims (paragraph 152) of supporting the transition to a low carbon future and contributing to reductions in greenhouse gases by reducing overdependence on cars. It is supported by project / aspirations in respect of walking and cycling improvements, and road safety improvements, which are intended to make walking and cycling more attractive propositions.

Conserving and enhancing the natural environment

NPPF Section 15, paras 174 - 188

2.19 This chapter of the NPPF promotes the positive impact that planning policies and decisions can have on natural environment, specifically through protection and enhancement of landscapes, biodiversity, character and soil quality. Relevant policies in the Sandon Neighbourhood Plan are:

- **Policy SAN H1**, which seeks to safeguard the open character and setting of Sandon village.
- **Policy SAN D1**, which requires development to respect the rural character of the Parish, respect open landscapes and for development adjacent to open spaces to be designed such that it conserves or enhances the character of the space. This aligns with paragraph 174 (b) of the NPPF which states that "planning policies and decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services
- **Policy SAN G1**, which requires development to deliver a minimum 10% biodiversity net gain and to provide new green and blue infrastructure where appropriate, as well as providing for the conservation and enhancement of wildlife corridors. Equally, Policy SAN G1 requires appropriate mitigation measures in response to the sensitive environment of the Essex Coast. In doing

so, it builds upon the goals set out in Para. 173 (d) of the NPPF which says that “planning policies and decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity”.

Conserving and enhancing the historic environment

NPPF Section 16, paras 189 - 208

- 2.20 Paras. 189 and 190 of the NPPF promote the conservation and enhancement of heritage assets to ensure their enjoyment into the future.
- 2.21 **Policy SAN D1** of the NDP conforms to this in that it establishes design principles which include the requirement for development proposal to respect the historic context of the Parish.
- 2.22 The NDP does not contain wider policies in respect of conservation areas, listed buildings or other heritage assets as these are well covered in national and Local Plan policy and do not need duplicating in the Sandon NDP.

Facilitating the sustainable use of minerals

NPPF Section 17, paras 209 - 217

- 2.23 The Sandon Neighbourhood Plan does not include policies which relate to this NPPF aim, therefore decisions on this matter will need to refer to the Chelmsford Local Plan, the Essex Minerals Local Plan and the Essex and Southend-on-Sea Waste Local Plan²

² <https://www.essex.gov.uk/minerals-waste-planning-policy/minerals-waste-planning-policy-development>

3. Sustainable Development

Achieving sustainable development

- 3.1 The NPPF, at paragraph 7, states that the *'purpose of the planning system is to contribute to the achievement of sustainable development'*. Sustainable development is defined as *'meeting the needs of the present without compromising the ability of future generations to meet their own needs'* (paragraph 7).
- 3.2 The NPPF views sustainability as made up of three objectives: economic, social and environmental. These objectives are interdependent and should be pursued in mutually supportive ways. The objectives are:
 - *Economic*: 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.
 - *Social*: 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 a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being.
 - *Environmental*: to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve 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 following sections summarise how the objectives and policies in the Neighbourhood Plan contribute toward sustainable development, as defined in the NPPF. This demonstrates that the objectives of the Neighbourhood Plan are considered to comprise a balance of social, economic and environmental goals.

Economic objectives

NPPF definition:

- 3.4 *'Building a strong, responsive and competitive economy'*

Relevant Neighbourhood Plan Objectives:

- 3.5 **Objective 10:** To support initiatives which meet the needs of the local economy and local businesses, while at the same time preserving the rural nature of the village. Employment opportunities in residential areas will be supported where they are appropriate to Sandon in terms of scale, character, and traffic impact.

Relevant Neighbourhood Plan Policies:

- Policy SAN E1: Employment development.
- Policy SAN C1: Communication technology.

Commentary on how the Neighbourhood Plan meets the NPPF Economic objectives:

- 3.6 The Sandon Neighbourhood Plan is committed to creating an environment in which businesses can thrive, with existing social and community facilities protected and proposals for new facilities supported. The policies in the Neighbourhood Plan require any new growth to be well connected and integrated with the existing community, supporting use of existing services and facilities. Support for improved communication technology is also expressed, helping with home-working.

Social objectives

NPPF definition:

- 3.7 *'Support strong, vibrant and healthy communities'*

Relevant Neighbourhood Plan Objectives:

- 3.8 **Objective 3:** To protect and enhance open green spaces and recreational facilities within the Parish, ensuring spaces are multifunctional in order to maximise health and well-being benefits to the community and to provide good access to these amenities.
- 3.9 **Objective 4:** To support housing that responds to the needs of all sectors of the community, including market and affordable housing, 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 and reflect quality of place, the character and quality of the built and natural environment.

- 3.10 **Objective 6:** To require that the infrastructure within the Parish has the capacity to accommodate new development without adversely affecting the local environment.
- 3.11 **Objective 7:** To actively support measures for connectivity for the proposed new large scale developments to the north of the Parish with the rest of the Parish.
- 3.12 **Objective 8:** To support and improve local community facilities such as the Churches, Pub, garden centre and Village Hall and Sports Club.
- 3.13 **Objective 9:** To support measures to improve highway safety, reduce the speed and quantity of through traffic, and improve sustainable transport options such as cycle routes, bus services and the local footpath network.

Relevant Neighbourhood Plan Policies:

- Policy SAN H2: Housing mix, type and tenure
- Policy SAN D1: Design and character in Sandon Parish
- Policy SAN T1: Promoting active and healthy travel
- Policy SAN CF1: Community facilities
- Policy SAN C1: Communication technology
- Project / aspiration: Walking and cycling improvements
- Project / aspiration: Road safety improvements
- Project / aspiration: New community sports facility

Commentary on how the Neighbourhood Plan meets the NPPF Social objectives:

- 3.14 The Neighbourhood Plan includes a range of policies that support social inclusion, health and wellbeing. It supports new housing, particularly where it maximises affordable homes, and seeks to protect and enhance community facilities, being places which support community interaction. The Plan acknowledges that these facilities and active travel routes to connect them can contribute towards good placemaking and a healthier society.
- 3.15 The Plan also puts community safety at the heart of its policies, with dedicated projects intended to help deliver traffic and pedestrian safety measures. It also supports well designed places, including those that have been assessed through the City Council Livewell Accreditation Scheme and which seeks to embed the principles of active travel, health and wellbeing into new development.

Environmental objectives

NPPF definition:

- 3.16 *'Contribute to protecting and enhancing our natural, built and historic environment'*

Relevant Neighbourhood Plan Objectives:

- 3.17 **Objective 1:** To protect and enhance biodiversity and the natural environment of the Parish which will help respond to the threat of climate change, maintain the rural character of the Parish and its separation from nearby communities.
- 3.18 **Objective 2:** To preserve and where possible enhance the historic character of the Parish and to enhance the quality of the built heritage and their setting, archaeology and historic landscape features.
- 3.19 **Objective 3:** To protect and enhance open green spaces and recreational facilities within the Parish, ensuring spaces are multifunctional in order to maximise health and well-being benefits to the community and to provide good access to these amenities.
- 3.20 **Objective 5:** To require that new developments are designed to ensure Sandon continues to be a sustainable settlement.
- 3.21 **Objective 6:** To require that the infrastructure within the Parish has the capacity to accommodate new development without adversely affecting the local environment.

Relevant Neighbourhood Plan Policies:

- Policy SAN H1: Setting
- Policy SAN D1: Design and character in Sandon Parish
- Policy SAN G1: Protection and enhancement of the natural environment
- Policy SAN T1: Promoting active and healthy travel

Commentary on how the Neighbourhood Plan meets the NPPF Environmental objectives:

- 3.22 The Neighbourhood Plan has a strong focus on the environmental qualities of the Parish. It seeks to ensure that development is located and designed in such a way that it responds positively to the rural character and open nature of the setting of Sandon village. It also seeks to protect natural features, delivery new green infrastructure and points developers towards use of the Natural England biodiversity metric in order to require the provision of a 10% net-gain in biodiversity from development. Furthermore, policies support the use of sustainable design and construction, reducing waste, and encouraging active travel through provision of a network of safe and connected walking and cycling routes, supporting a move away

from use of the private car and thus helping to mitigate the impacts of climate change.

4. The Development Plan

- 4.1 For Neighbourhood Plans to meet the Basic Conditions set out in the Neighbourhood Planning regulations they need to demonstrate general conformity with the strategic policies of the development plan.
- 4.2 The NPPF establishes what should be covered by a strategic policy in a Local Plan. It states that such policies should provide a clear starting point for any non-strategic policies that are needed and should not extend to detailed matters that are more appropriately dealt with through neighbourhood plans or other non-strategic policies. It states that such policies should help to deliver³:
- Housing (including affordable housing), employment, retail, leisure, and other commercial development;
 - Infrastructure for transport, telecommunications, security, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);
 - Community facilities (such as health and cultural infrastructure); and
 - Conservation and enhancement of the natural, built and historic environment, including landscapes and green infrastructure, and planning measures to address climate change mitigation and adaption.
- 4.3 The Chelmsford Local Plan was adopted in May 2020. The Local Plan and its supporting studies set out the future for development in Chelmsford up to 2036. The contents page of the Local Plan confirms which policies are Strategic Policies. They are:
- Strategic Policy S1: Spatial Principles.
 - Strategic Policy S2: Addressing Climate Change and Flood Risk.
 - Strategic Policy S3: Conserving and Enhancing the Historic Environment.
 - Strategic Policy S4: Conserving and Enhancing the Natural Environment.
 - Strategic Policy S5: Protecting and Enhancing Community Assets.
 - Strategic Policy S6: Housing and Employment Requirements.
 - Strategic Policy S7: The Spatial Strategy.
 - Strategic Policy S8: Delivering Economic Growth.
 - Strategic Policy S9: Infrastructure Requirements.

³ See para 20, NPPF,
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/740441/National_Planning_Policy_Framework_web_accessible_version.pdf

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- Strategic Policy S10: Securing Infrastructure and Mitigation.
 - Strategic Policy S11: The Role of the Countryside.
 - Strategic Policy S12: Role of City, Town and Neighbourhood Centres.
 - Strategic Policy S13: Monitoring and Review.

4.4 In addition to the above, Strategic Growth Policy 3a – 3d (East Chelmsford) is relevant to the Sandon Neighbourhood Plan.

4.5 Chelmsford City Council has recently commenced a review of the Local Plan, beginning with an 'Issues and Options' consultation that took place in late summer 2022. This will extend the Local Plan period to 2041. The consultation material presented a set of proposed spatial principles which are similar to those in the adopted Local Plan. It also present a range of options in regard to the spatial distribution of future growth, but does not yet preferred options or specific development sites. It notes that the preferred option may not be one of those presented in the consultation exercise, but could be a combination of these. At the time of writing, there are no emerging Strategic Policies in the review of the Local Plan to be considered in the Basic Conditions Statement. The Neighbourhood Plan does though include a commitment to review, and this may be triggered by adoption of the new Local Plan. Until such time as the new Local Plan progresses further, this Basic Conditions Statement thus considered the Sandon Neighbourhood Plan against the strategic policies of the adopted Local Plan.

4.6 This section of the Basic Conditions Statement demonstrates that the Neighbourhood Plan is in conformity with the strategic policies of the development plan. The Sandon Neighbourhood Plan aims to build on the policies contained within the Chelmsford City Council Local Plan by providing neighbourhood level planning policy where it has been found appropriate. The table below demonstrates how the policies of the Sandon Neighbourhood Plan conform with the strategic policies established in the Chelmsford City Local Plan.

Local Plan Strategic Policy	Sandon Neighbourhood Plan policy
<p>Strategic Policy S1: Spatial Principles</p>	<p>This Local Plan policy seeks to optimise the use of previously developed land for development and respect that character and appearance of the landscape, built environment, preserve and enhance historic assets and biodiversity.</p> <p>The NDP is aligned with this through Policies SAN H1, SAN D1 and SAN G1 which, respectively, seek to:</p> <ul style="list-style-type: none"> • safeguard the open character and setting of Sandon village; • support development which makes use of previously developed land; • establish design principles which seek to respect the rural character and historic environment; and • protect and enhance biodiversity and the natural environment, and providing for new green infrastructure in development.
<p>Strategic Policy S2: Addressing Climate Change and Flood Risk</p>	<p>The Neighbourhood Plan is aligned with various elements of this Local Plan policy, including:</p> <ul style="list-style-type: none"> • Policy SAN D1 supports use of sustainable building design and construction, which links to Local Plan principles in respect of design and construction techniques that contribute to climate change mitigation and adaptation. • Policy SAN T1 supports walking and cycling as an alternative to use of the car. This aligns with Local Plan principles in respect of providing for sustainable travel modes. This is developed further in the NDP through projects and aspirations and walking and cycling routes, and road safety improvements. It is also reflected in Policy SAN CF1 which supports provision of community facilities where they are easily accessible by foot and cycle. • Policy SAN G1 seeks to preserve and enhance the natural environment and biodiversity, and provide new green infrastructure and wildlife spaces. This is aligned with Local Plan principles in respect of new habitat creation.

	<p>The NDP does not include policies in relation to flood risk given these matters are well covered at national level and in Local Plan policies. It is also noted that Defra has announced that the use of Sustainable drainage systems will become mandatory in 2024. The NDP does not seek to duplicate this suite of policies.</p>
<p>Strategic Policy S3: Conserving and Enhancing the Historic Environment</p>	<p>The NDP does not seek to duplicate existing national guidance and Local Plan policy in respect of heritage assets. However, Policy SAN D1 does respond to this Strategic Policy through the establishment of design policies which respond to the character of the area as identified in the Village Design Statement and which expresses support for those development proposals which respect the historic context of the Parish and require new development to respond positively to the character of the surrounding area.</p>
<p>Strategic Policy S4: Conserving and Enhancing The Natural Environment</p>	<p>Policy SAN G1 of the NDP is well aligned with this Local Plan policy, requiring developments to deliver a minimum 10% biodiversity net gain, provide appropriate mitigations in line with the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy, and to support the delivery of new green infrastructure, including an integrated network of wildlife corridors.</p>
<p>Strategic Policy S5: Protecting and Enhancing Community Assets</p>	<p>The NDP is well aligned with this strategy policy through Policy SAN CF1 which seeks to protect existing community facilities but also provide support for new and improved facilities. The NDP also includes a project / aspiration in respect of new sports facilities.</p>
<p>Strategic Policy S6: Housing and Employment Requirements</p>	<p>The Local Plan allocates land on the edge of the Parish, bordering the Chelmsford urban area, as a new growth area. This is subject to masterplanning. The NDP does not allocate land for housing over and above this but recognises that new development proposals may come forward. Policy SAN H2 supports development that meets the needs of the local community and which maximises delivery of the First Homes product.</p> <p>Equally, Policy SAN E1 supports proposals for employment development, the expansion and diversification of existing businesses.</p>

<p>Strategic Policy S7: The Spatial Strategy</p>	<p>Through this Strategic Policy, Sandon is designated as a small settlement. Beyond the strategic growth location (Site 3a – 3d, East Chelmsford), which straddles the boundary of Chelmsford and Sandon Parish, there are no further allocation in the Parish, though it is recognised that windfall sites and small-scale rural exception sites might come forward. This is reflected in Policy SAN H2 which supports proposals for housing that meets local needs, including affordability.</p> <p>The Strategic Policy also notes that development should respect the distinctive character of settlements and avoid coalescence. This is reflected in Policy SAN D1 which establishes principles in respect of the design and character of development, and policy SAN H1 which seeks to retain the separate identity and open character of Sandon such that development, individually or cumulative, does not result in coalescence with neighbouring settlements.</p>
<p>Strategic Policy S8: Delivering Economic Growth</p>	<p>Policy SAN E1 is aligned with this strategic policy in that it supports development for new business, the expansion or diversification of existing businesses. Policy SAN C1 also supports economic growth by requiring new development to be capable of being connected to high speed mobile and broadband connections, supporting business and home working.</p>
<p>Strategic Policy S9: Infrastructure Requirements</p>	<p>The strategic policy lists provides a long list of infrastructure to be provided by new development. This includes the need for new development to be supported by sustainable means of transport. This is reflected in Policy SAN T1 which supports measures that encourage walking and cycling, as well as project / aspirations in respect of walking and cycling improvements and road safety improvements.</p> <p>The strategic policy also refers to community facilities, green infrastructure and communications. This is reflected in the NDP through:</p> <ul style="list-style-type: none"> • Policy SAN CF1, which seeks to protect existing community facilities but also provide support for new and improved facilities, including, as a project / aspiration, new sports facilities. • Policy SAN G1, which supports provision of new green infrastructure, biodiversity net gain and

	<p>support for a network of connected wildlife corridors.</p> <ul style="list-style-type: none"> • Policy SAN C1, which requires development to be capable of received high speed mobile and broadband connections.
<p>Strategic Policy S10: Securing Infrastructure and Impact Mitigation</p>	<p>The Local Plan sets out the process for securing infrastructure improvements and mitigations, through the use of financial contributions, on or off-site provision, and or the provision of land.</p> <p>The NDP does not include a policy in this respect and thus defers to Local Plan policy. The NDP does though include a set of community projects which it is hoped that the neighbourhood portion of CIL can be directed towards.</p>
<p>Strategic Policy S11: The Role of The Countryside</p>	<p>The Local Plan notes that outside of urban areas / defined settlements and the Green Belt, the character and beauty of rural areas should not be adversely impacted. This is reflected in the NDP in Policy SAN H1 which seeks to ensure that development respects the open setting of Sandon and its separate identity from neighbouring settlements. Equally, Policy SAN D1 establishes design principles which seek to respect the open nature of the countryside and rural character of the Parish.</p>
<p>Strategic Policy S12: Role of City, Town And Neighbourhood Centres</p>	<p>Sandon does not feature any Designated Centres. As such, the NDP does not feature any Policies that directly align with this Strategic Policy.</p>
<p>Strategic Policy S13: Monitoring and Review</p>	<p>The Strategic Policy with regard to ongoing review of the Local Plan is noted. Similarly, the NDP includes a commitment to ongoing review to ensure that its policies remain up-to-date and relevant.</p>
<p>Strategic Growth Site Policy 3a – 3b Location 3 - East Chelmsford</p>	<p>These four sites in the Local Plan are allocated for around 400 new homes, employment uses, a park and Ride site, new Country Park and other associated supporting facilities. Sites 3b – 3d are within Sandon parish. They immediately adjoin Site 3a on the edge of the Chelmsford urban area (at Great Baddow). The strategic nature of these sites is recognised through the NDP and further policy guidance is not established. However, Policy SAN T1 and associated projects / aspirations do support provision of improved walking</p>

	and cycling links between the growth sites and rest of the parish, supporting movement by sustainable modes between these.
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5. Strategic Environment Assessment / HRA

- 5.1 The draft Sandon Neighbourhood Plan was screened for SEA and HRA by Chelmsford City Council in September 2022 in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004.
- 5.2 The SEA regulations require the competent authority (Chelmsford City Council) to determine whether or not a plan is likely to have a significant environmental effect and therefore whether SEA is needed.
- 5.3 The SEA screening conducted by Chelmsford City Council concluded that there are not likely to be significant environmental effects arising directly from the decisions taken through the Sandon Neighbourhood Plan. As such, it concluded that it is not necessary for a full Strategic Environmental Assessment to accompany the Sandon Neighbourhood Plan.
- 5.4 At the same time as the SEA screening a Habitats Regulations Assessment (HRA) was prepared for the Sandon Neighbourhood Plan, the purpose of which was to determine whether significant effects on a Natura 2000 site could be ruled out on the basis of objective information and best scientific knowledge.
- 5.5 Given that the Local Plan has been subject to continuous and iterative HRA screening, and that the proposed policies in the Sandon Neighbourhood Plan would not create any significant effects on the identified European Sites, Chelmsford City Council concluded that further stages of appropriate assessment for the Sandon Neighbourhood Plan were not required. The statutory consultees agreed with these conclusions.
- 5.6 For comprehensiveness, a copy of the SEA and HRA Screening Report is included in Appendix B.

6. Sustainability Appraisal

‘Light touch’ appraisal

- 6.1 Even though the Screening has determined that SEA is not required, a ‘light touch’ Sustainability Appraisal (SA), proportionate with the Neighbourhood Plan, has been prepared. This reflects best practice and is based upon the Sustainability objectives prepared by Chelmsford City Council for the purposes of the Local Plan.
- 6.2 The objectives are listed in the table below, alongside which commentary is provided indicating how the Sandon Neighbourhood Plan responds to these objectives and will thus help contribute to the delivery of sustainable development in Sandon through its blend of policies that will deliver social, economic and environmental benefits.

Chelmsford SA Objective	Sandon Neighbourhood Plan Response
Biodiversity and Geodiversity: To conserve and enhance biodiversity and geodiversity and promote improvements to the green infrastructure network.	<p>Policy SAN G1 stipulates that “development proposals are expected to secure a minimum net biodiversity gain of 10% on-site, as demonstrated through use of the most up-to-date version of the Natural England biodiversity metric (or any successor document to this) and submission of a biodiversity net gain plan submitted as part of planning application material.” The policy also supports delivery of new green infrastructure and supports the conservation and enhancement of wildlife corridors.</p> <p><i>The policies and projects in the Neighbourhood Plan are considered to result in a Minor Positive Effect.</i></p>
Housing: To meet the housing needs of the Chelmsford City Area and deliver decent homes.	<p>Through Policy SAN H2, the Plan supports the development of new homes that provide for a balanced mix of housing and where delivery of the First Homes product is maximised.</p> <p>Policy SAN D1 establishes design principles for new development, including those that accord with the City Council’s Livewell Accreditation scheme, which includes meeting standards for high-quality homes.</p> <p><i>The Neighbourhood Plan is considered to result in a Minor Positive Effect.</i></p>
Economy, Skills and Employment: To achieve a strong and stable economy which offers rewarding and well located employment	<p>Policy SAN E1 supports proposals for small businesses, the expansion and diversification of existing businesses, and Policy SAN C1 requires development to be capable of receiving high speed mobile and broadband connections, which will support local business as well as opportunities for home working.</p>

opportunities to everyone.	<i>The Neighbourhood Plan is considered to result in a Minor Positive Effect.</i>
Sustainable Living and Revitalisation: To promote urban renaissance and support the vitality of rural centres, tackle deprivation and promote sustainable living.	<p>Policy SAN H2 supports new housing development where it meets local needs and helps maximise delivery of the First homes product. This is supported by Policy SAN CF1 which seeks to protect and support improvements to community facilities, including those in an accessible location for all.</p> <p>Policy SAN C1 requires development to be capable of receiving high speed mobile and broadband communications, which will help support social inclusion.</p> <p><i>The Neighbourhood Plan is considered to result in a Minor Positive Effect.</i></p>
Health and Wellbeing: To improve the health and wellbeing of those living and working in the Chelmsford City Area.	<p>Policy SAN T1 supports provision of walking and cycling routes and thus active and healthy travel. This is further supported by project / aspirations in respect of walking and cycling improvements and road safety improvements, and which will make active travel a more attractive proposition.</p> <p>Policy SAN CF1 seeks to protect and improve community facilities, and support provision of new facilities, particularly where they are accessible to all and provide for a range of uses. This is further supported by project / aspirations for a new sports facility.</p> <p>Policy SAN D1 expresses support for development proposals assessed through the City Council Livewell Accreditation scheme. This seeks to embed health and wellbeing principles into good approaches to placemaking.</p> <p><i>The Neighbourhood Plan is considered to result in a Minor Positive Effect.</i></p>
Transport: To reduce the need to travel, promote more sustainable modes of transport and align investment in infrastructure with growth.	<p>Policy SAN T1 supports development that makes provision for walking and cycling. It is supported by project / aspirations in respect if improved walking and cycling routes as well as improvements to road safety, and which will thus make active travel a more attractive proposition. Furthermore, Policy SAN T1 also supports provision of better connections between the strategic growth areas East of Chelmsford with the wider Parish.</p> <p>Alongside this, Policy SAN CF1 supports provision of new community facilities where they are in locations accessible to all, preferably by active and sustainable travel.</p> <p>In addition, Policy SAN D1 supports proposals that have been assessed through the City Council's Livewell Accreditation</p>

	<p>scheme. This supports those schemes which embed active travel principles into development proposals.</p> <p><i>The Neighbourhood Plan is considered to result in a Minor Positive Effect.</i></p>
Land Use and Soils: To encourage the efficient use of land and conserve and enhance soils	<p>Soils will be conserved through the protection of green infrastructure which will be achieved through the approach outlined in Policy SAN G1.</p> <p><i>The policies and projects in the Neighbourhood Plan are considered to result in a neutral effect on the achievement of this objective.</i></p>
Water: To conserve and enhance water quality and resources.	<p>Policies with regard to the conservation and enhancement of water quality and resources are established in the Local Plan. The Neighbourhood Plan does not seek to repeat or add to those policies as they are considered to appropriately cover the challenges for Sandon.</p> <p><i>The policies and projects in the Neighbourhood Plan are considered to result in a neutral effect on the achievement of this objective.</i></p>
Flood Risk and Coastal Erosion: To reduce the risk of flooding and coastal erosion to people and property, taking into account the effects of climate change.	<p>Policies in respect of flood risk and coastal erosion are established in the Local Plan. The Neighbourhood Plan does not seek to repeat or add to those policies as they are considered to appropriately cover the challenges for Sandon. However, Policy SAN G1 does require development to provide new green and blue infrastructure, where appropriate.</p> <p><i>The policies and projects in the Neighbourhood Plan are considered to result in a neutral effect on the achievement of this objective.</i></p>
Air: To improve air quality.	<p>The NDP is set in the context of the 'Climate and Climate Emergency' declared by Chelmsford City Council in July 2019. In recognition of the above, a range of NDP policies seek to address and mitigate climate change effects, such as:</p> <ul style="list-style-type: none"> • Policy SAN T1, which supports active and healthy modes of transport, reducing reliance on the private car and, in return reducing impacts of car use on air quality. • Policy SAN D1, which supports development that incorporates sustainable building design and materials, minimising waste.

	<ul style="list-style-type: none"> • Policy SAN G1 which seeks to protect and enhance the natural environment, and thus trees and other natural features that help contribute to positive air quality. <p><i>The Neighbourhood Plan is considered to result in a Minor Positive Effect.</i></p>
Climate Change: To minimise greenhouse gas emissions and adapt to the effects of climate change.	<p>Policy SAN D1 supports proposals for development that make use of sustainable design and construction methods.</p> <p>Policy SAN T1 supports active and healthy forms of travel, as an alternative to the use of the private car, and Policy SAN CF1 supports provision of new community facilities where they are in locations that can be accessible by foot, bicycle or public transport.</p> <p>Furthermore, Policy SAN G1 requires a minimum biodiversity net gain to be provided by qualifying developments.</p> <p><i>The Neighbourhood Plan is considered to result in a Minor Positive Effect.</i></p>
Waste and Natural Resources: To promote the waste hierarchy (reduce, reuse, recycle, recover) and ensure the sustainable use of natural resources.	<p>Policies with regard to waste, refuse, recycling and natural resources are established in the Local Plan. The Neighbourhood Plan does not seek to repeat or add to those policies as they are considered to appropriately cover the challenges for Sandon. However, Policy SAN D1 does support the use of sustainable building design and construction methods in new developments, including the re-use and recycling of materials to minimise waste.</p> <p><i>The policies and projects in the Neighbourhood Plan are considered to result in a neutral effect on the achievement of this objective.</i></p>
Cultural Heritage: To conserve and enhance the historic environment, cultural heritage, character and setting.	<p>Policy SAN H1 and Policy SAN D1 require development to respond to the character and identity of Sandon and surrounding landscape, including its rural nature and historic context. It draws upon the Village Design Statement which identifies specific qualities that characterise the Parish. This includes minimising the impacts of development between settlements that would undermine the separate identity of Sandon.</p> <p>Wider policies in the Local Plan set out the approach to conservation, listed buildings and heritage assets. The Neighbourhood Plan does not seek to repeat or add to those</p>

	<p>policies as they are considered to appropriately cover the challenges for Sandon.</p> <p><i>The policies and projects in the Neighbourhood Plan are considered to result in a Minor Positive Effect.</i></p>
<p>Landscape and Townscape: To conserve and enhance landscape character and townscapes.</p>	<p>Policy SAN H1 seeks to minimise the impact of development in the setting of Sandon village and thus retain the open character around the village. Policy SAN D1 develops this further. It draws upon the Village Design Statement to identify qualities the characterise the Parish and which proposals for new development should respond to. These policies seek to ensure that new development respects local character.</p> <p><i>The policies and projects in the Neighbourhood Plan are considered to result in a Significant Positive Effect.</i></p>

7. Conclusion

- 7.1 The Basic Conditions as set out in Schedule 4B to the TCPA 1990 are considered to be met by the Sandon Neighbourhood Plan and all the policies therein.
- 7.2 It is therefore respectfully suggested to the Examiner that the Sandon Neighbourhood Plan complies with the Basic Conditions, and, subject to any modifications recommended by the Examiner, should proceed to referendum.

Appendix A:

Neighbourhood Plan Designation

The Neighbourhood Area was designated on 31 October 2017, and was approved by the Director of Sustainable Communities under delegated powers. The Parish was notified of the decision by email from CCC as copied below:

From: ROBINSON, Jenny
Sent: 02 November 2017 09:43
To: parishclerk@sandon.info
Subject: Neighbourhood Plan Area Designation

Hello Ted,

You will be pleased to know that your application to designate a Neighbourhood Area has been approved.

We have published the application and map on our website, which you can view on this page: www.chelmsford.gov.uk/communityplans

We look forward to working with you to bring your plan forwards.

Regards,

Jenny.

*Jenny Robinson
Senior Planning Officer (Planning and Housing Policy)*

*Directorate For Sustainable Communities
Chelmsford City Council
01245 606265*

www.chelmsford.gov.uk

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Appendix B: SEA / HRA

The Strategic Environmental Assessment (SEA) Screening Report undertaken of the Sandon Neighbourhood Plan is presented in this appendix.

Screening under the Habitats Regulation Assessment (HRA) was undertaken at the same time and is also included within the report appended overleaf.

**STRATEGIC ENVIRONMENTAL ASSESSMENT/HABITATS REGULATIONS
ASSESSMENT**

SCREENING REPORT

SANDON NEIGHBOURHOOD PLAN

1 Introduction

- 1.1 This draft screening report has been prepared to determine whether the Sandon Neighbourhood Plan requires a full Strategic Environmental Assessment (SEA) and/or Habitats Regulations Assessment (HRA).
- 1.2 The purpose of the Sandon Neighbourhood Plan is to provide planning policies to guide development in the designated Sandon Neighbourhood Plan area (Appendix 1).
- 1.3 An SEA evaluates the environmental effects of a plan before it is made. The SEA requirements are in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004.
- 1.4 An HRA identifies whether a plan is likely to have any significant effects on a European site, either alone or in combination with other plans or projects. European sites are designated under the UK Conservation of Habitats and Species Regulations 2017 (the 'Habitats Regulations').
- 1.5 In some circumstances, a Neighbourhood Plan can have significant environmental effects. One of the basic conditions that will be tested by the independent examiner is whether the making of the Plan is compatible with European Union Obligations.
- 1.6 Sandon Neighbourhood Plan is currently being drafted, and this screening has been carried out to inform the Plan development. Chelmsford City Council (CCC) has the responsibility to ensure that the SEA/HRA requirements have been met, and has provided Sandon Parish Council, as the qualifying body preparing the Neighbourhood Plan, with an SEA/HRA screening opinion.
- 1.7 To do this, CCC has:
 - a) Taken into account the criteria specified in the European Directives; and
 - b) Consulted the consultation bodies.
- 1.8 The consultation bodies are defined in section 4 of the SEA Regulations. As the responsible authority, CCC has sought the opinions of the statutory consultation bodies - the Environment Agency, Natural England and Historic England.

2 Legislative background

- 2.1 The basis for Strategic Environmental Assessments and Sustainability Appraisal legislation is European Directive 2001/42/EC 'on the assessment of the effects of certain plans and programmes on the Environment'. This was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004, or SEA Regulations.
- 2.2 The SEA Regulations include a definition of 'plans and programmes' to which the regulations apply, and which programmes are required by legislative, regulatory or administrative provisions.

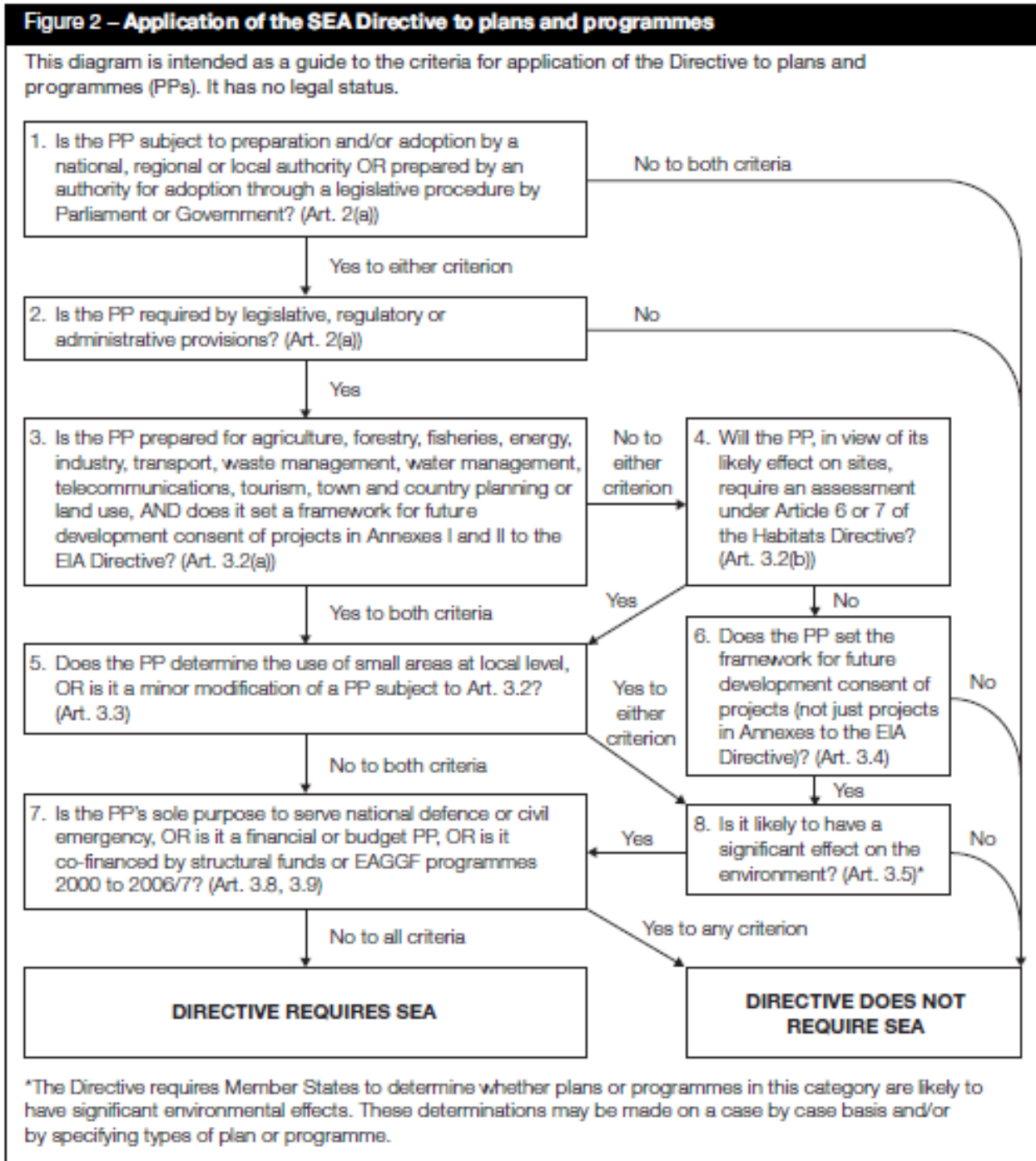
- 2.3 The basis for HRA is Article 6 (3) and (4) of the EU Habitats Directive and Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended).
- 2.4 Production of a Neighbourhood Development Plan is not required by legislative, regulatory or administrative provisions. It is an optional process under the provision of the Town and Country Planning Act 1990 (subsequently amended by the Localism Act 2011). However, once a Neighbourhood Plan is 'made' it becomes part of the statutory development plan for the area to which it applies. As such, it forms part of a plan that is required by legislative provisions i.e. the [Chelmsford Local Plan](#) (adopted in May 2020).

3 SEA – Criteria

- 3.1 The criteria for determining the likely significance of effects referred to in Article 3(5) of Directive 2001/42/EC are set out below:
1. The characteristics of plans and programmes, having regard, in particular, to:
 - The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources.
 - The degree to which the plan or programme influences other plans and programmes including those in a hierarchy.
 - The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development.
 - Environmental problems relevant to the plan or programme.
 - The relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste-management or water protection).
 2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:
 - The probability, duration, frequency and reversibility of the effects.
 - The cumulative nature of the effects.
 - The trans boundary nature of the effects.
 - The risks to human health or the environment (e.g. due to accidents).
 - The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected), the value and vulnerability of the area likely to be affected due to:
 - special natural characteristics or cultural heritage;
 - exceeded environmental quality standards or limit values;
 - intensive land-use; and
 - the effects on areas or landscapes which have a recognised national, community or international protection status.

4 SEA – Screening Assessment

4.1 The diagram below illustrates the process for screening a planning document to ascertain whether a full SEA is required.



Source: *A Practical Guide to the Strategic Environmental Assessment Directive* (2005)

4.2 The following assessment applies the questions from the diagram above. The answers determine whether the Neighbourhood Plan will require a full Strategic Environmental Assessment.

Question	Response
1) Is the PP subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a))	Yes. The preparation and adoption of the Neighbourhood Plan is allowed under the Town and Country Planning Act 1990 as amended by the Localism Act 2011. The Neighbourhood Plan is being prepared by Sandon Parish Council as the relevant body and, subject to successful completion of the relevant processes as set out in the Neighbourhood Planning (General) Regulations 2012 and the Neighbourhood Planning (Referendums) Regulations 2012, will be made by CCC as the local authority to become part of the statutory Local Plan for that part of the Council's area.
2) Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))	Yes. A Neighbourhood Development Plan is not required by legislative, regulatory or administrative provisions. It is an optional process under the Town and Country Planning Act 1990 (amended by the Localism Act 2011). However, once a Neighbourhood Plan is made it becomes part of the statutory development plan for the area to which it applies. As such it forms part of a plan that is required by legislative provisions.
3) Is the PP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art 3.2(a))	<p>Yes. The Neighbourhood Plan is prepared for town and country planning and land use. The Neighbourhood Plan contains policies to determine the use of land at the local (parish) level (Art3 (3)). It implements policies in the Chelmsford Local Plan as they relate to the Sandon Neighbourhood Plan Area.</p> <p>The Neighbourhood Plan will provide guidance against which planning applications will be assessed throughout the Parish Council's area, but it does not allocate any land for development.</p>
4) Will the PP, in view of its likely effect on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive? (Art. 3.2 (b))	No. Land is allocated for development in the adopted Local Plan within the Sandon Neighbourhood Plan area – but the Sandon Neighbourhood Plan does not itself allocate any sites. The site allocations in the Chelmsford Local Plan have been tested through continuous and iterative screening, most recently at the Local Plan Examination. The full consultation process and assessment summary are contained within the

	<p>HRA Adoption Note which accompanied adoption of the Local Plan (May 2020).</p> <p>Residential development proposed within the Local Plan has the potential to result in an increase in recreational disturbance in particular at Foulness Special Protection Area (SPA) and Ramsar; Dengie SPA and Ramsar; Blackwater SPA and Ramsar; Essex Estuaries Special Area of Conservation (SAC) and Crouch and Roach Estuaries SPA and Ramsar.</p> <p>Overall, it is considered that there is a low risk for in-combination effects on the SAC/SPA through increased visitor pressure from any windfall development in Sandon parish. Nevertheless, following the Local Plan Appropriate Assessment an Essex-wide Recreational disturbance Avoidance and Mitigation Strategy (RAMS) and accompanying Supplementary Planning Document (SPD) were adopted by CCC in May 2020. They cover the above sites together with five other SPAs and Ramsar sites along the Essex Coast.</p> <p>The RAMS includes measures that have been successfully employed for other European sites (e.g. Thames Basin Heaths SPA; Thanet Coast and Sandwich Bay SPA / Ramsar), supported by developer contributions. As a result, this plan-level mitigation measure is considered to be available, achievable and likely to be effective and so can be relied on to ensure that development proposals either avoid affecting the designated sites (no significant effect) or, where significant effects cannot be avoided, that effects will not adversely affect site integrity.</p> <p>The SPD sets out the requirement for new residential development to contribute to the delivery of this strategy as part of a Section 106 Agreement.</p>
5) Does the PP determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2? (Art. 3.3)	Yes. The Neighbourhood Plan will include policies for the use of land and buildings within the Neighbourhood Plan area.
6) Does the PP set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)?	Yes. The Neighbourhood Plan will be used for the determination of planning applications.

(Art 3(4))	
7) Is the PP's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget PP, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art 3.8, 3.9)	No, not applicable.
8) Is it likely to have a significant effect on the environment? (Art. 3(5))	No. See entry 4) of this table.

5 HRA – Screening Assessment

- 5.1 The Conservation of Habitats and Species Regulations 2017 set out the requirement for neighbourhood plans to assess implications for European Sites (Regulation 106).
- 5.2 Chelmsford Local Plan allocates land at Sandon for Strategic Growth as follows:
- Strategic Growth Policy 3b – Land North of Maldon Road – for employment in the form of an office/business park, including land for a potential expansion to the Park and Ride site;
 - Strategic Growth Policy 3c – Land South of Maldon Road – around 100 homes;
 - Growth Site Policy 3d – Land North of Maldon Road – around 50 homes.

The Sandon Neighbourhood Plan does not itself allocate any sites for development.

- 5.3 The Local Plan has been subject to continuous and iterative HRA screening and has been found sound following an independent examination. The full consultation process and assessment summary are contained within the HRA Adoption Note which accompanied adoption of the Local Plan (May 2020).
- 5.4 The HRA assessed three principal aspects for appropriate assessment, namely recreational pressure, air quality and water quality. The HRA concluded that significant effects from development proposed in the Local Plan cannot be excluded, with alone or in combination with other plans. This has led to the development of the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS). This identifies a detailed programme of strategic mitigation measures across 12 local authority areas, which are to be funded by developer contributions from residential development schemes, and which is endorsed by Natural England.

- 5.5 The draft Sandon Neighbourhood Plan references the RAMS at paragraphs 2.16, 6.43, in Policy SAN G1, and 7.5.

The whole of the Neighbourhood Plan area is within the overall zone of influence of the Essex Coast RAMS, which has been adopted by the City Council as SPD. All new development in Sandon which results in a net increase in new homes, however small, will need to provide financial contributions towards the mitigation measures. The RAMS SPD sets out how mitigation measures will be funded, with the Planning Obligations SPD adopted by the City Council providing the mechanism for collecting contributions. (Para 6.43).

B. All new residential development within the zones of influence of European Sites should make an appropriate financial contribution towards mitigation measures, as detailed in the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) Supplementary Planning Document, to avoid adverse in-combination recreational disturbance effects on European Sites.

C. All residential development within the zones of influence should deliver all measures identified (including strategic measures) through project level Habitat Regulations Assessment (HRAs), or otherwise, to mitigate any recreational disturbance impacts in compliance with the Habitat Regulations and Habitats Directive. (Policy SAN G1).

- 5.6 The draft Sandon Neighbourhood Plan does not propose development allocations in addition to the Strategic Growth Site allocations in the Local Plan. There are two Neighbourhood Area Designations adjacent to Sandon
- Danbury Neighbourhood Plan area adjoins the east of the Sandon boundary. The Local Plan allocates around 100 homes in Danbury, with locations to be identified through the Neighbourhood Plan. This process is ongoing.
 - Little Baddow Neighbourhood Area adjoins the north of the Sandon boundary. It is not allocating any sites for development.

It is, therefore, considered that no cumulative effects from other Neighbourhood Plans are anticipated.

- 5.7 Proposed policies in the draft Sandon Neighbourhood Plan concern housing design and mix/tenure, character, natural environment, active travel, and community facilities. It is considered that these policies would not create additional risks of a significant effect on the identified European sites.

6 SEA and HRA - Consultation

- 6.1 CCC Consulted the consultation bodies (see 1.8) in July/August 2022. The consultation responses are attached to the report (Appendix 2), and all support CCC's opinion that a full Strategic Environmental Assessment or Habitats Regulations Assessment will not be necessary to accompany the Sandon Neighbourhood Plan.

6.2 In summary:

- Natural England – in relation to environmental interests (including but not limited to statutory designated sites, landscapes and protected species, geology and soils) there are unlikely to be significant environmental effects from the proposed plan.
- Historic England – concurs with the Council that the preparation of a Strategic Environmental Assessment is not required.
- The Environment Agency – no response received by the specified deadline.

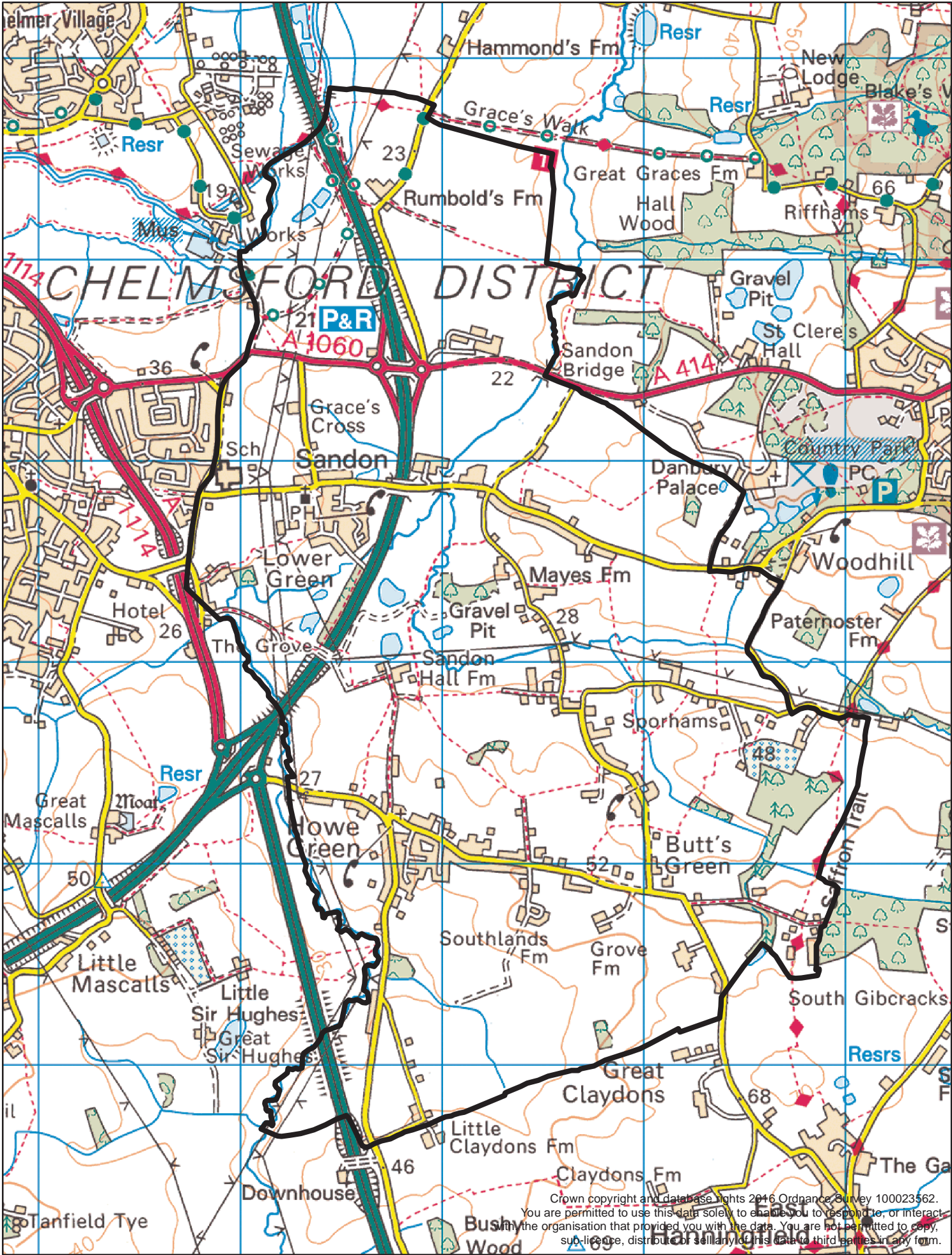
7 Conclusion

7.1 As a result of the assessment in Section 4, CCC has concluded that there are not likely to be significant environmental effects arising directly from the decisions taken through the Sandon Neighbourhood Plan.

7.2 Given that the Local Plan has been subject to continuous and iterative HRA screening, and the conclusion that the proposed policies in the Sandon Neighbourhood Plan would not create any significant effects on the identified European Sites, it is therefore concluded that further stages of appropriate assessment for the Sandon Neighbourhood Plan are not required.

8 Next steps

8.1 This statement will be published on Chelmsford City Council's website:
www.chelmsford.gov.uk/communityplans



0 200 400 800 Metres

OCTOBER 2017

Directorate for Sustainable Communities
Civic Centre, Duke Street, Chelmsford, CM1 1JE
Tel.01245 606606
Web www.chelmsford.gov.uk



Date: 19 July 2022
 Our ref: 400231
 Your ref: Sandon Neighbourhood Plan – Draft SEA/HRA Screening Report



Jenny Robinson
 Chelmsford City Council

Hornbeam House
 Crewe Business Park
 Electra Way
 Crewe
 Cheshire
 CW1 6GJ

BY EMAIL ONLY

T 0300 060 3900

Dear Jenny Robinson

Sandon Neighbourhood Plan - SEA/HRA Draft Screening Consultation

Thank you for your consultation on the above dated 12 July 2022 which was received by Natural England on 12 July 2022

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Screening Request: Strategic Environmental Assessment

It is our advice, on the basis of the material supplied with the consultation, that, in so far as our strategic environmental interests (including but not limited to statutory designated sites, landscapes and protected species, geology and soils) are concerned, that there are unlikely to be significant environmental effects from the proposed plan.

Neighbourhood Plan

Guidance on the assessment of Neighbourhood Plans, in light of the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended), is contained within the [National Planning Practice Guidance](#). The guidance highlights three triggers that may require the production of an SEA, for instance where:

- a neighbourhood plan allocates sites for development
- the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan
- the neighbourhood plan may have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.

We have checked our records and based on the information provided, we can confirm that in our view the proposals contained within the plan will not have significant effects on sensitive sites that Natural England has a statutory duty to protect.

We are not aware of significant populations of protected species which are likely to be affected by the policies / proposals within the plan. It remains the case, however, that the responsible authority should provide information supporting this screening decision, sufficient to assess whether protected species are likely to be affected.

Notwithstanding this advice, Natural England does not routinely maintain locally specific data on all potential environmental assets. As a result the responsible authority should raise environmental issues that we have not identified on local or national biodiversity action plan species and/or habitats, local wildlife sites or local landscape character, with its own ecological and/or landscape advisers, local record centre, recording society or wildlife body on the local landscape and biodiversity receptors that may be affected by this plan, before determining whether an SA/SEA is necessary.

Please note that Natural England reserves the right to provide further comments on the environmental assessment of the plan beyond this SEA/SA screening stage, should the responsible authority seek our views on the scoping or environmental report stages. This includes any third party appeal against any screening decision you may make.

For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Yours sincerely

Dominic Rogers
Consultations Team

From: James, Edward
Sent: 12 July 2022 16:06
To:
Cc: EastPlanningPolicy
Subject: RE: SEA/HRA Draft Screening Consultation - Sandon Neighbourhood Plan (Chelmsford City Council area)

Thank you for inviting Historic England to comment on this consultation. As the Government's adviser on the historic environment Historic England is keen to ensure that the protection of the historic environment is fully taken into account at all stages and levels of the local planning process. Therefore we welcome this opportunity to review the Screening Report for this plan. For the purposes of this consultation, Historic England will confine its advice to the question, "Is it (the Sandon Neighbourhood Plan) likely to have a significant effect on the historic environment?". Our comments are based on the information supplied with the Screening Opinion.

The Screening Report indicates that the Council considers that the plan will not have any significant effects on the historic environment. We note that the neighbourhood plan does not propose to allocate any sites for development, and that the sites proposed as part of the Local Plan have been subject to assessment as part of that process.

On the basis of the information supplied, and in the context of the criteria set out in Schedule 1 of the Environmental Assessment Regulations [Annex II of 'SEA' Directive], Historic England concurs with the Council that the preparation of a Strategic Environmental Assessment is not required.

The views of the other two statutory consultation bodies should be taken into account before the overall decision on the need for an SEA is made.

I should be pleased if you can send a copy of the determination as required by REG 11 of the Environmental Assessment of Plans and Programmes Regulations 2004.

We should like to stress that this opinion is based on the information provided by you with your correspondence. To avoid any doubt, this does not reflect our obligation to provide further advice on later stages of the SEA process and, potentially, object to specific proposals which may subsequently arise (either as a result of this consultation or in later versions of the plan) where we consider that, despite the SEA, these would have an adverse effect upon the environment.

Historic England strongly advises that the conservation and archaeological staff of the relevant local authorities are closely involved throughout the preparation of the plan and its assessment. They are best placed to advise on; local historic environment issues and priorities, including access to data held in the Historic Environment Record (HER), how the allocation, policy or proposal can be tailored to minimise potential adverse impacts on the historic environment; the nature and design of any required mitigation measures; and opportunities for securing wider benefits for the future conservation and management of heritage assets.

Please do contact me, either via email or the number below, if you have any queries.

Kind regards,

Edward

Edward James
Historic Places Adviser - East of England
Historic England



Historic England

Brooklands | 24 Brooklands Avenue | Cambridge | CB2 8BU

www.historicengland.org.uk

Twitter: @HE_EoE

Are you an organisation that has used or considered using our Enhanced Advisory Services (EAS)?
Click the following link: [SmartSurvey](#) to take part in a short 10 minute review of our services if you'd like to have your say.
We'd welcome your views.



Historic England

Work with us to champion heritage and improve lives. Read our Future Strategy and get involved at historicengland.org.uk/strategy.

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Sandon Parish Council

Sandon Neighbourhood Plan: 2022 - 2036

Basic Conditions Statement

March 2023



Sandon Parish Council
Recreation Ground
Rectory Chase
Sandon
Chelmsford, CM2 7SQ

<https://sandonparishcouncil.co.uk/>

<https://ndp4sandon.co.uk/>