

Relationship with Braintree District Council in the preparation of a Neighbourhood Development Plan

Braintree District Council (BDC) has a duty to support the preparation of Neighbourhood Development Plans. The purpose of this document is to:

1. Outline the steps in the Neighbourhood Development Plan process;
2. Explain how BDC will undertake its statutory duties including timescales for responses;
3. Set out the level and extent of the advice and guidance that BDC will provide;
4. Set out the responsibilities of the Parish Council /Neighbourhood Forum during the Neighbourhood Development Plan process;
5. Provide guidance on evidence to support your Neighbourhood Development Plan
6. Provide information about Sustainability, SEA and HRA

1. Steps in the Neighbourhood Development Plan Process

	Statutory duties (section 2)	Support & advice (section 3)
Initial meeting(s)		✓
Define the neighbourhood area	Reg 5 and 7	✓
Establish a steering group		✓
Prepare a project plan		✓
Community engagement		✓
Create an evidence base		✓
Draft a vision and planning objectives		✓
Prepare a draft plan		✓
Consult on the plan (pre submission consultation)	Reg 14	✓
Submit the plan for validation and consultation	Reg 15 and 16	
Appoint examiner	Reg 17	✓
Independent examination	Reg 18	
Referendum	Reg 4	
Plan is made	Reg 19 and 20	

2. Statutory duties

Regulation	Timescale:-
Confirm receipt of application Regulation 5 Neighbourhood Planning (General) (Amendment) Regulations 2015	Confirmation of receipt within one week of receiving the application documents.
Designate a Neighbourhood Area Regulation 7 Neighbourhood Planning (General) (Amendment) Regulations 2015	Where a parish council applies for the whole of the area of the parish to be designated as a neighbourhood area, the local planning authority must designate the whole of the area applied for. All other applications must be determined within 13 weeks of first being publicised, or 20 weeks where the application relates to more than one local planning authority area. If these time limits are not met, the local planning authority must designate all of the area applied for.

Confirm that the draft plan meets the requirements of the pre-submission consultation Regulation 14 Neighbourhood Planning (General) Regulations 2012	Confirmation within four weeks following receipt of the Plan
Confirm that the submitted plan includes a consultation statement and meets the criteria within the Localism Act Regulation 15 Neighbourhood Planning (General) Regulations 2012	Confirmation within one week of receiving the submission documents.
Publicise the Submission Plan, and other relevant documentation for Consultation, and forward comments received to examiner Regulation 16 Neighbourhood Planning (General) Regulations 2012	Publicise within two weeks of receiving the submission documents. Undertake the six week consultation on the Submission Plan. Forward comments to examiner within four weeks of close of consultation
Approve the appointment of an examiner with the Parish Council and move submission plan/order for independent examination Regulation 17 Neighbourhood Planning (General) Regulations 2012	Decision within six weeks of close of Submission Plan consultation
Consider the Examiner's Report and Publish a 'Decision Statement' Regulation 18 Neighbourhood Planning (General) Regulations 2012	Decision Statement produced four weeks after receipt of the Examiner's Report
Arrange Referendum Regulation 4 Neighbourhood Planning (Referendums) (Amendment) Regulations 2016	Referendum to be held within 56 working days of the decision that a referendum should be held, or 84 working days in more complex cases. The 3 exceptions to this are: a) if another 'poll' is scheduled within 3 months of the end of the 56/84 day period; b) if there are unresolved legal challenges to the decision to hold a referendum; c) if the local authority and NP group both agree a different timescale to take account of local circumstances.
Make the Plan Regulation 19/20 Neighbourhood Planning (General) Regulations 2012	Decision at the first available meetings of Cabinet/ Council following a positive referendum result

3. Advice and guidance

The Neighbourhood Planning team at Braintree District Council comprises:

- Jan Stobart, Neighbourhood Planning Officer
(under contract from Rural Community Council of Essex),
jan.stobart@essexrcc.org.uk 01376 574330
- Alan Massow, Principle Planning Policy Officer planningpolicy@braintree.gov.uk

The support available from the team is set out below:

Stage of process	Support available
Initial meeting(s)	Make a presentation about neighbourhood planning; Facilitate a community workshop to get people involved; Provide examples of publicity materials.
Define the Neighbourhood Area	Explain the application process; Advise on the boundaries and the suitability of the local group as a 'qualifying body'.
Establish a steering group	Chair initial meetings of volunteers; Advise on group structure; Provide example terms of reference; Provide training for group members.
Prepare a project plan	Advise on time plan and budget; Assist with funding applications.
Community engagement	Advise on a communications strategy; Provide example surveys; Advise on engagement event organisation; Facilitate community engagement events; Advise on how to keep records of participants.
Draft a vision and planning objectives	Facilitate a visioning event; Provide example visions and planning objectives.
Create an evidence base	Sign post to sources of information; Provide maps; Advise on assessment of sites; Provide comments on the emerging evidence base; Advise on additional studies that may be needed; Advise on Sustainability Appraisal; Advise on any requirement for Environmental Assessment and Habitats Regulations Assessment.
Prepare a draft plan	Advise on presentation and assessment of options; Advise on creating deliverable proposals; Advise on how to draft planning policy; Advise on the structure of the document; Provide comments on the emerging draft; Provide a Strategic Environmental Assessment scoping report on the draft plan.
Consult on the plan (pre submission consultation)	Advise on the statutory consultation process; Advise on the preparation of the Consultation Statement and Basic Conditions Statement.
Submit the Plan for Validation and Consultation	Advise on suitability of the plan in meeting the 'basic conditions': Conformity of the Plan; Suitability of the Consultation Statement; Suitability of any Environmental Assessment or Habitats Regulations Assessment undertaken; Conformity with other legislative requirements; Conformity with the OS mapping requirements (including copyright issues).
Appoint examiner	Work together on the appointment of the independent examiner

BDC will not offer support/assistance with the following:-

- Writing Documents
- Commissioning technical studies for the Neighbourhood Development Plan
- Undertaking primary survey work
- Attending every meeting/consultation event organised
- Providing direct financial support

4. The role of the parish council / neighbourhood forum

In a parished area, the parish council will be the qualifying body responsible for the production of the Neighbourhood Development Plan: in an un-parished area, a neighbourhood forum will be the qualifying body. We suggest the following:

At the start of the process

- Arrange a meeting with an officer from the BDC Neighbourhood Planning team to discuss how we can support you.
- Ensure your Neighbourhood Development Plan Group adopts Terms of Reference (for the steering group and for any topic related research groups) to set out how it will operate.
- In a parished area, establish a clear reporting link between the Neighbourhood Development Plan Group and the Parish Council.
- Share your Project Plan with the BDC Neighbourhood Planning team so we have an indicative timetable for completion of your Neighbourhood Development Plan. It will help us to allocate support to you at the appropriate times.

As you prepare your evidence base and plan

- Seek advice on evidence that is already available – we have a lot of information that might save you time.
- Provide regular updates on progress to the BDC Neighbourhood Planning team, especially if it looks like the overall time plan will change.
- Provide an early draft of your plan to the BDC Neighbourhood Planning team for informal comment.

As you are prepare to undertake your pre submission (Reg 14) consultation

- Provide a copy of the plan to the BDC Neighbourhood Planning team.
- Undertake an environmental assessment of the policies in your plan. The BDC Neighbourhood Planning team can provide a suggested template.
- If maps are prepared by anyone other than BDC, ensure that you have access to the electronic 'shape files' – this will make it easier if changes to the map are requested by the examiner and to allow future publishing on interactive online mapping.

Submission of your final plan (Reg 15) prior to consultation and examination

- Provide a map or statement identifying the area to which the plan relates.
- Provide the proposed Neighbourhood Development Plan and Appendices as pdf documents. **Also please:**
 - provide the text, figures and photos, minus paragraph numbers, of the proposed Neighbourhood Development Plan as a word document to enable uploading to the BDC consultation platform for the Reg 16 consultation.
 - ensure all maps include the ONS licence number, a direction marker, scale and legend.
- Provide a Consultation Statement, containing details of those consulted, how they were consulted, summaries of the main issues and concerns raised and how these have been considered (and where relevant addressed) in the proposed Neighbourhood Development Plan.
- Provide a Basic Conditions Statement, explaining how the Neighbourhood Development Plan meets the 'basic conditions'
- Provide final copies of any Environmental Statements or Assessments undertaken.

5 The need for an Evidence Base in the preparation of a Neighbourhood Development Plan

It is essential that your Neighbourhood Development Plan is underpinned by evidence that provides 'reasoned justification' for your planning policies.

The evidence base must contain two elements:

Opinions and aspirations: you must ascertain the views of the local community – residents of all ages, local businesses and community organisations. The policies will be guided by the level of support for different proposals.

Factual information: you must undertake research about population, housing, employment, environment, local character and design, infrastructure and other topics. You must also assess the feasibility / deliverability of different proposals.

The evidence that you gather will:

- Provide a profile of the area - the demography of the area, existing infrastructure and community assets.
- Define the issues and priorities – strengths, weaknesses and local needs.
- Identify constraints and opportunities for improvements – establish areas where conservation is needed, but also where change might benefit the area, and show which proposals are deliverable.
- Shape policies to guide future development – you must be able to demonstrate how the evidence justifies the policy.

Your evidence included in your Neighbourhood Development Plan document will be a mixture of text, charts and maps.

Managing evidence

Whilst much of the evidence gathering will be near the start of the process you will continue to add to the evidence base even as you start drafting your plan. New sources of evidence will come to light, some may become out of date, and new issues will arise that need to be addressed. Aim to keep your evidence base relevant and proportionate and try to avoid introducing new evidence just before or during the examination.

It is important to document your evidence as it evolves, as the Inspector will be interested in the trail. Keep a spreadsheet of all your evidence and update it in accordance with progress. Many groups use Dropbox as a repository for their evidence. Prior to examination you will need to review the evidence for timeliness (is it up-to-date, or at least the latest available), relevance, and completeness in terms of coverage of the parish. Some neighbourhood plan groups commission an independent review of their 'evidence base' prior to examination. If you choose to do this, you will need to build these costs into your budget or apply for a Locality Package (see below).

Putting together your evidence base

Evidence gathering can be time consuming and possibly expensive so ask yourselves the following questions:

- What do you need to find out and why (you do not need to collect everything)?
- Do you really need it to inform your choices about land use and development?
- What would happen if you didn't have it?
- Is it relevant to your area and your emerging planning objectives?
- If so, what is the best way of getting it? Does it already exist or does it need to be created?

Sources of evidence	Notes
Previous local studies / surveys	You may already have a Parish or Town Plan, a Design Statement , have undertaken a Housing Needs Survey or other local study. If this was done in the last few years, you may be able to use these findings.
Demographic data	The Office of National Statistics web site is data heaven (or hell depending on your ability to find your way round it) http://www.ons.gov.uk/ons/index.html District statistics are on the BDC website https://www.braintree.gov.uk/info/200136/access_to_information/123/district_statistics A summary profile for your area can be purchased from RCCE http://www.essexrcc.org.uk/Community_Profiles.aspx
Braintree District Council's evidence base	https://www.braintree.gov.uk/info/200230/planning_policy/701/new_local_plan/8 Some studies are highly complex and it may be difficult to find the part that relates to your Neighbourhood Plan area. The next section of this document suggests evidence that may be most useful.
Essex County Council's evidence	Essex County Council has a duty to support NP and provide advice https://www.essex.gov.uk/planning-advice-guidance/neighbourhood-planning-advice The Planning Advice and Guidance page includes a useful guide about developer contributions https://assets.ctfassets.net/knkzaf64jx5x/5aKhke88Ey5zkdMvSQj44w/33ef01a332384c239a43ecd7b356ed51/developers-guide-infrastructure-contributions.pdf
Seek information from utilities companies and infrastructure providers	This may seem like hassle, but it should help to identify key issues and constraints from the outset, and reduce delays later in the process.
Seek information from statutory bodies (e.g. Highways Agency)	Statutory bodies have a duty to co-operate and must provide information on issues that might affect the deliverability of your plan.
Magic Maps	An interactive map displaying information about the natural environment http://www.magic.gov.uk/
Environment Agency Maps	A collection of environmental maps: what's in your backyard? http://apps.environment-agency.gov.uk/wiyby/default.aspx
Free Technical Support Packages	Locality offers nine technical support packages. https://neighbourhoodplanning.org/about/technical-support/ Please see separate note below
Commission evidence from consultants	If evidence does not exist elsewhere and needs to be commissioned, write a clear brief with clear objectives to ensure your requirements are met and that you get value for money. See the Locality Guide
Undertake your own studies	Gathering the views and opinions of residents and stakeholders is likely to be something you will do yourselves, although you can of course pay someone to do all, or part, of this for you. The BDC Neighbourhood Planning Officer can assist you with community engagement. You can also gather information from local organisations, schools, doctors etc. about the condition and capacity of their facilities. If you have appropriate expertise on your steering group (e.g. planners, surveyors, architects) you may be able to undertake certain studies yourselves e.g. character assessment, site assessment etc.
Evidence produced by third parties e.g. local businesses, developers	This might be useful but you would need to consider its impartiality

You may also like to look at the Planning Aid England Document [How to Gather and Use Evidence](#)

Locality FREE Technical Support Packages

The [free packages](#) are:

- Setting up a NP Forum (unparished areas)
- Housing Needs Assessment (HNA)
- Site Options and Assessment
- Environmental Impact Assessment (EIA)
- Evidence Base and Policy Development (EBPD)
- Strategic Environmental Assessment (SEA)
- Masterplanning
- Design including Design Codes
- Habitats Regulation Assessment (HRA)
- Plan Health Check Review

The Neighbourhood Planning Team can provide advice about the best time (the order in which) to apply for these packages. NP groups can apply for one free package with each application for cash funds.

Topic Related Evidence

Most Neighbourhood Plan groups set up topic related working groups to gather evidence, to assess and draw conclusions from it, and to suggest planning objectives and possible policies for the emerging plan.

The next three pages are organised under the following topic headings:

- Housing
- Environment
- Economy
- Getting Around
- Heritage and Design
- Community Facilities and Wellbeing

Each Neighbourhood Plan area will arrange its sub groups differently, some combining topics into fewer working groups, others expanding to have separate groups to explore particular concerns e.g. education, leisure facilities etc.

Some of the '**Possible Evidence Base documents for you to prepare**' in the tables on the following pages can be prepared for you using the Locality FREE Technical Support Packages. Others can be prepared by volunteers on your NP group, or by paying consultants using your Locality Grant.

The suggested '**Documents to look at**' in the tables on the following pages can be found in the [BDC Local Plan Evidence Base](#) pages or on other websites, using internet search engines. However, if you have any problems in finding a document, please contact the Neighbourhood Planning team at Braintree District Council:

- Jan Stobart, Neighbourhood Planning Officer (under contract from Rural Community Council of Essex), jan.stobart@essexrcc.org.uk 01376 574300
- Alan Massow, Senior Policy Planner

Housing

Key things to find out	<p>Current population, trends and projections</p> <p>Current housing stock (type and tenure)</p> <p>Housing need (objectively assessed) in the area</p> <p>Housing prices (purchase and rent) and affordability</p> <p>Existing housing and development policies and strategies</p> <p>Site availability and an assessment of those sites</p>
Advice and guidance	<p>Locality Guide How to undertake a Housing Needs Assessment</p> <p>Locality Guide How to assess and allocate sites</p> <p>Locality Guide Community Led Housing</p> <p>Design Council Building for Life</p>
Documents to look at	<p>BDC Housing Strategy</p> <p>Demographic Projections 2013-2037</p> <p>Strategic Housing Land Availability Assessment (SHLAA)</p> <p>Strategic Housing Market Assessment (SHMA)</p> <p>Evaluation of Landscape Capacity Analysis Study</p> <p>Affordable Housing Needs Assessment</p> <p>Affordable Housing Viability Assessment</p> <p>Residential Land Availability Assessment</p>
Useful maps	<p>Constraints map (shows flood plains and designations that protect land)</p> <p>Call for Sites interactive map (shows parcels of land put forward for development by landowners)</p>
Possible Evidence Base documents for you to prepare	<p>Parish Housing Needs Survey (HNS)</p> <p>Housing Needs Assessment (HNA)</p> <p>Site Options and Assessment</p>

Environment

Key things to find out	<p>Public open space in the area and how each is used</p> <p>The character of the landscape</p> <p>Flood plains and local drainage</p> <p>Land of high agricultural value</p> <p>Land of high biodiversity value</p> <p>Spaces and trees with designations to protect them</p> <p>Existing environment and climate change policies</p> <p>Capacity for carbon reduction and local energy generation</p>
Advice and guidance	<p>Locality How to consider the Environment in NP</p> <p>Locality Local Green Space</p> <p>Locality Low Carbon NP</p>
Documents to look at	<p>Landscape Character Assessment 2006</p> <p>Evaluation of Landscape Capacity Analysis Study</p> <p>Green Spaces Strategy 2008</p> <p>Open Spaces Action Plan 2014</p> <p>Strategic Flood Risk Assessment</p> <p>Essex Biodiversity Action Plan</p> <p>Agricultural Land Classification map (eastern region)</p> <p>Water Cycle Study Update</p> <p>Climate Change Strategy and Action Plan</p> <p>Green Essex Strategy</p>
Useful maps	<p>Development constraints such as flood plains, land of high agricultural value, or high biodiversity value</p> <p>Important Open Spaces within the built environment</p> <p>Biodiversity value (including TPOs and green corridors)</p>
Possible Evidence Base documents for you to prepare	<p>Landscape Assessment Study</p> <p>Biodiversity Study</p> <p>Green and Blue Infrastructure Assessment and Plan</p>

Economy

Key things to find out	<p>Employment / skills (employment sectors) of economically active residents</p> <p>Commuting patterns (in and out commuting)</p> <p>Levels of unemployment</p> <p>The different classes of existing local businesses</p> <p>Opportunities for new businesses (possibly different classes) and barriers for business</p> <p>Local retail offer and unique selling points</p> <p>The character of the street scene (shop fronts, signage and street furniture)</p> <p>Opportunities for rural tourism and business opportunities in the countryside</p>
Advice and guidance	<p>Planning Practice Guidance Ensuring the vitality of Town Centres</p> <p>LGA PAS Publication Local Jobs evidence worksheet</p>
Documents to look at	<p>Economic Development Prospectus 2013-2026</p> <p>Employment Sites Viability</p> <p>Employment Land Needs Assessment Study</p> <p>Retail Study</p>
Useful maps	<p>Local business and retail sites</p>
Possible Evidence Base documents for you to prepare	<p>Town or Village Centre Study and Strategy</p> <p>Business Survey Report</p>

Getting Around

Key things to find out	<p>Different transport infrastructure (footpaths, cycleways, bridleways, pedestrian footways, roads, rail)</p> <p>Parking facilities</p> <p>Strengths and weaknesses of local transport infrastructure and parking</p> <p>Car ownership / number of vehicles</p> <p>Assessment of traffic flow and congestion</p> <p>Road traffic accidents and assessment of safety</p> <p>Impact of new development on transport infrastructure</p>
Advice and guidance	<p>Locality Transport Matters in NP</p> <p>Hamilton-Baillie Traffic in Villages Toolkit</p> <p>Planning Practice Guidance Transport Evidence Base</p> <p>Planning Practice Guidance Travel Plans and Transport Assessments</p>
Documents to look at	<p>Local Transport Plan – Essex CC</p> <p>Highways Impact Assessment</p> <p>Cycling Strategy and Action Plan</p> <p>Parking Standards</p> <p>Protected Lanes Study</p> <p>Public Rights of Way definitive map</p>
Useful maps	<p>Network of walking and cycling routes</p> <p>Main vehicle routes</p> <p>Access to key destinations</p>
Possible Evidence Base documents for you to prepare	<p>Parish level traffic volume studies</p> <p>Assessment of traffic calming measures</p> <p>Local Parking Assessment and Strategy</p>

Heritage and Design

Key things to find out	Listed buildings and other heritage assets (ancient monuments, ancient lanes etc.) The character of the built environment Conservation areas
Advice and guidance	Locality Achieving well designed places BBBBC Living with Beauty PAE video How to address design and character Historic England NP and the historic environment
Documents to look at	Conservation Area reviews and management plans Historic Characterisation Study Protected Lanes Study BDC Cultural Strategy Essex Design Guide Village Design Statement (if previously approved)
Useful maps	Listed buildings and ancient monuments Conservation areas (and Local Character areas)
Possible Evidence Base documents for you to prepare	Heritage Assessment Character Assessment Design Codes

Community Facilities and Wellbeing

Key things to find out	The buildings (and sites) that are used to deliver community services (education, health, sport, leisure and general wellbeing) The condition and capacity of each building / site Impact of changing demographics on the delivery of community services Impact of new development on the delivery of community services The need for additional, or different, buildings / sites to enable continued delivery of community services
Advice and guidance	Community Mapping Toolkits available from RCCE Locality Mapping Community Assets online
Documents to look at	Community Halls Study Infrastructure Plan Open Spaces, Sport and Recreation Strategy Commissioning School Places in Essex Mid Essex Clinical Commissioning Group (MECCG) Investing in our Future Strategy
Useful maps	Locations of buildings and spaces that are used for education, health, sport, leisure and general wellbeing
Possible Evidence Base documents for you to prepare	Local assessment of community facilities and capacity to deliver community services and need for extended / new facilities

6 Sustainability, Strategic Environmental Assessment (SEA) and Habitat Regulation Assessment (HRA)

Prior to pre-submission consultation (Reg 14) the NP forum / parish council should be able to demonstrate that consideration has been given to sustainability issues in preparing the draft Neighbourhood Development Plan. The following headings can be used to assess the impact of each policy:

- **Nature conservation** - meadows, hedges, trees, rivers, ponds, biodiversity, wildlife etc.
- **Landscape and Heritage** - the character of your area, views, any listed buildings, attractive landscape or townscape, conservation areas, archaeology, customs
- **Air and climate** - traffic levels, pollution, use of energy, production of renewable energy etc.
- **Water** - water quality, water provision and use of water, wastewater treatment, flooding
- **Soil** – green-field land, food production (particularly food that is eaten locally), allotments, contaminated areas etc.
- **Population** - homes for current and future residents including Gypsies and Travellers and people with special housing needs.
- **Human health** - green areas, walking and cycling facilities, sports facilities, health facilities etc.
- **Material assets** - education, libraries, community buildings, medical centres, waste, transport, etc.
- **Employment and skills** - jobs, local and small businesses, employment sites, skills and training etc.
- **Equalities** - Groups that have traditionally been disadvantaged, children and young people, older people, women, black and ethnic minority people, people with disabilities, gay, lesbian and transsexual people, people with different religions and beliefs, etc.

This assessment can take whatever form you wish. The Neighbourhood Planning team can provide a template if you would like one.

Prior to Plan Submission (Reg 15) the draft plan (as amended to reflect comments at the Reg 14 consultation) will need to be 'Screened'. The NP regulations require the local authority to have sufficient information, when the plan is submitted under Regulation 15, to judge whether a full SEA/HRA is required. BDC will pay for the screening, which will be undertaken by ECC Place Services.

Stage 1 - The 'Screening Report' assesses whether your draft NP will have any 'likely significant effects' (LSE) on the environment and habitat. As a result of the Screening process, the plan will either be 'screened in' or 'screened out'.

If it is 'screened out' no further work is needed.

If it is 'screened in', move to stage 2.

Stage 2 - A 'Scoping Report' needs to be commissioned by the NP forum / parish council. It can be funded from precept or from the NP grant: a technical package is also available.

The 'Scoping Report' sets out the extent of the SEA work that will be required and the methodology that will be used. The Scoping Report is subject to a six week consultation with Natural England, before moving to stage 3.

Stage 3 - An SEA Report and Appropriate Assessment (AA) for HRA need to be commissioned by the NP forum / parish council. These reports assess the impact that the Neighbourhood Plan will have on the environment and on habitat, and set out the mitigation measures that will be required. They can be funded from precept or from the NP grant: a technical package is also available.

If the FREE Technical Support Packages can't be accessed, the total cost to the NP forum / parish council of scoping and screening work is likely to be in the region of £7,000

The SEA Report and AA form part of the suite of documents submitted to BDC under Reg 15 and will all be subject to consultation at Reg 16.

JS 11/2023