

# **Noak Bridge Neighbourhood Development Plan 2023-2042**

**A report to Basildon Borough Council on the  
Noak Bridge Neighbourhood Development Plan**

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## **Executive Summary**

- 1 I was appointed by Basildon Borough Council in May 2025 to carry out the independent examination of the Noak Bridge Neighbourhood Plan.
- 2 The examination proceeded by written representations. I visited the neighbourhood area on 15 July 2025.
- 3 The Plan seeks to bring forward positive and sustainable development in the neighbourhood area. It also includes policies to safeguard the built and historic environment and proposes the designation of a package of local green spaces. The Plan is commendably focused on a clear set of locally-distinctive issues.
- 4 The Plan has been underpinned by community support and engagement. All sections of the community have been engaged in its preparation.
- 5 Subject to a series of recommended modifications set out in this report, I have concluded that the Plan meets all the necessary legal requirements and should proceed to referendum.
- 6 I recommend that the referendum area should coincide with the neighbourhood area.

**Andrew Ashcroft**  
**Independent Examiner**  
**17 October 2025**

## **1 Introduction**

- 1.1 This report sets out the findings of the independent examination of the Noak Bridge Neighbourhood Development Plan 2023-2042 ('the Plan').
- 1.2 The Plan was submitted to Basildon Borough Council (BBC) by Noak Bridge Parish Council (NBPC) in its capacity as the qualifying body responsible for preparing the neighbourhood plan.
- 1.3 Neighbourhood plans were introduced into the planning process by the Localism Act 2011. They allow local communities to take responsibility for guiding development in their area. This approach was subsequently embedded in the National Planning Policy Framework (NPPF) in 2012, 2018, 2019, 2021, 2023 and 2024. The NPPF continues to be the principal element of national planning policy.
- 1.4 The role of an independent examiner is clearly defined in the legislation. I have been appointed to examine whether the submitted Plan meets the basic conditions and Convention Rights and other statutory requirements. It is not within my remit to examine or to propose an alternative plan, or a potentially more sustainable plan except where this arises because of my recommended modifications to ensure that the plan meets the basic conditions and the other relevant requirements.
- 1.5 A neighbourhood plan can be narrow or broad in scope and can include whatever range of policies it sees as appropriate to its designated neighbourhood area. The submitted Plan has been designed to be distinctive in general terms, and to be complementary to the existing development plan. It seeks to provide a context in which the neighbourhood area can maintain its character and appearance. It also designates a package of local green spaces.
- 1.6 Within the context set out above, this report assesses whether the Plan is legally compliant and meets the basic conditions that apply to neighbourhood plans. It also considers the content of the Plan and, where necessary, recommends changes to its policies and supporting text.
- 1.7 This report also provides a recommendation as to whether the Plan should proceed to referendum. If this is the case and that referendum results in a positive outcome the Plan would then be used to determine planning applications within the neighbourhood area and will sit as part of the wider development plan.

## 2 The Role of the Independent Examiner

- 2.1 The examiner's role is to ensure that any submitted neighbourhood plan meets the relevant legislative and procedural requirements.
- 2.2 I was appointed by BBC, with the consent of NBPC, to conduct the examination of the Plan and to prepare this report. I am independent of both BBC and NBPC. I do not have any interest in any land that may be affected by the Plan.
- 2.3 I possess the appropriate qualifications and experience to undertake this role. I am a Director of Andrew Ashcroft Planning Limited. I have 42 years' experience in various local authorities at either Head of Planning or Service Director level, and more recently as an independent examiner. I have significant experience of undertaking other neighbourhood plan examinations and health checks. I am a member of the Royal Town Planning Institute and the Neighbourhood Planning Independent Examiner Referral System.

### *Examination Outcomes*

- 2.4 In my role as the independent examiner of the Plan, I am required to recommend one of the following outcomes of the examination:
- (a) that the Plan as submitted should proceed to a referendum; or
  - (b) that the Plan should proceed to referendum as modified (based on my recommendations); or
  - (c) that the Plan does not proceed to referendum on the basis that it does not meet the necessary legal requirements.
- 2.5 The outcome of the examination is set out in Section 8 of this report.

### *Other examination matters*

- 2.6 In examining the Plan, I am required to check whether:
- the policies relate to the development and use of land for a designated neighbourhood plan area; and
  - the Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 (the Plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one neighbourhood area); and
  - the Plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted for examination by a qualifying body.
- 2.7 I have addressed the matters identified in paragraph 2.6 of this report and am satisfied that they have been met.

### 3 Procedural Matters

3.1 In undertaking this examination I have considered the following documents:

- the submitted Plan.
- the Basic Conditions Statement.
- the Consultation Statement.
- the Local Green Space Assessment.
- the Community Facilities Assessment.
- the Character Appraisal.
- the Design Code.
- the Noak Bridge Conservation Area Appraisal and Management Plan.
- the BBC screening SEA and HRA reports.
- the representations made to the Plan.
- NBPC's responses to the clarification note.
- the adopted Basildon District Local Plan Saved Policies 2007.
- the National Planning Policy Framework (December 2023 and December 2024).
- Planning Practice Guidance.
- relevant Ministerial Statements.

3.2 I visited the neighbourhood area on 15 July 2025. I looked at its overall character and appearance and at those areas affected by policies in the Plan in particular.

3.3 It is a general rule that neighbourhood plan examinations should be held by written representations only. Having considered all the information before me, including the representations, I concluded that the Plan could be examined by written representations and that a hearing was not required.

#### *The update of the NPPF in 2024*

3.4 The NPPF was updated on 12 December 2024. Paragraph 239 of the NPPF 2024 sets out transitional arrangements for plan-making. It comments that the policies in the Framework will apply for the purpose of preparing neighbourhood plans from 12 March 2025 unless a neighbourhood plan proposal has been submitted to the local planning authority under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (as amended) on or before the 12 March 2025.

3.5 The Plan was submitted in September 2024. On this basis, the examination of the Plan against the basic condition that it should have regard to national policies and advice contained in guidance issued by the Secretary of State is based on the 2023 version of the NPPF. Where NPPF paragraph numbers are used in this report, they refer to those in the December 2023 version.

3.6 Paragraph 6.2 of this report sets out the full extent of the basic conditions against which a neighbourhood plan is examined.

## 4 Consultation

### *Consultation Process*

- 4.1 Policies in made neighbourhood plans become the basis for local planning and development management decisions. As such, the regulations require neighbourhood plans to be supported and underpinned by public consultation.
- 4.2 In accordance with the Neighbourhood Planning (General) Regulations 2012 (as amended), NBPC prepared a Consultation Statement. It is a good example of a document of this nature.
- 4.3 Sections 2 and 3 of the Statement describe the ways in which people and organisations were engaged in the process. Key activities included:
- the use of leaflets and newsletters;
  - meetings with organisations;
  - video and art competitions; and
  - walking workshops.
- 4.4 Sections 4 and 5 comment about the consultation on the pre-submission Plan (September to November 2023). It also summarises the responses and advises about the way in which NBPC refined the Plan because of the comments received at this stage. This analysis helps to describe how the Plan evolved and progressed to the submission stage.
- 4.5 I am satisfied that consultation has been an important element of the Plan's production. Advice on the neighbourhood planning process has been made available to the community in a positive and direct way by those responsible for the Plan's preparation. From all the evidence provided to me as part of the examination, I conclude that the Plan has promoted an inclusive approach to seeking the opinions of all concerned throughout the process. BBC has carried out its own assessment that the consultation process has complied with the requirements of the Regulations.

### *Consultation Responses*

- 4.6 Consultation on the submitted plan was undertaken by BBC and ended on 7 April 2025. This exercise generated representations from the following organisations:
- Woolsington One Limited
  - Sport England
  - Essex Police Designing Out Crime
  - Historic England
  - Bloor Homes
- 4.7 Comments were also received from several residents.

- 4.8 I have taken account of all the representations in preparing this report. Where it is appropriate to do so, I refer to specific representations on a policy-by-policy basis.

## 5. The Neighbourhood Area and the Development Plan Context

### *The Neighbourhood Area*

- 5.1 The neighbourhood area is the parish of Noak Bridge. The village is located to the immediate north of Basildon and 2km from Billericay. The neighbourhood area consists of the village itself, and a wider rural area that lies within the Metropolitan Green Belt in the southern part of Essex. The area is bordered to the south side by the A127 and Basildon town beyond. Great Burstead and South Green parish lies to the north, and Ramsden Crays parish lies to the east. It had a population of 2,811 in 2021. It was designated as a neighbourhood area on 22 November 2018.
- 5.2 As the Plan advises, the construction of the settlement started in the 1980s and the intention of Basildon District was to have a separate village and reflected the character of a traditional English village, with its own unique identity. Basildon Development Corporation was tasked with closely monitoring the development of the village. In this broader context, there is a clear and marked distinction between the village and the agricultural landscape in the north of the neighbourhood area (which is in the Green Belt). The Conservation Area Appraisal and Management Plan advises that the village was built on what today are recognisable as Essex Design Guide principles. An irregular street plan with many trees and hedges, and standardised house types skilfully varied through careful architectural detailing and selection from a limited palette of materials, have created a balance between unity and variety that is at once immediately attractive and suggestive of a traditional English village. It comments further that the street scene is enlivened by landmark buildings, and distinctive features such as Dutch gables, barge boards, decorative brickwork, sun dials, and finger post signs.
- 5.3 An important feature of the neighbourhood area is the Noak Bridge Nature Reserve. It consists of a 20 acres parcel of land of developing woodland, grassland, scrubs, and ponds and provides various wildlife opportunities. This area is treasured by the local community, as it offers an invaluable area for physical activity and opportunities to learn more about the local wildlife. It is owned and maintained by BBC, with help and support from the Noak Bridge Nature Reserve Society.

### *Development Plan Context*

- 5.4 The Development Plan in the Borough consists of the Basildon District Local Plan Saved Policies 2007. It was adopted on 20 September 2007. In March 2025 BBC undertook a Compliance Review of the Saved Basildon District Local Plan Policies against the December 2024 National Planning Policy Framework (NPPF).
- 5.5 The saved policies include a strategic approach to the Green Belt. The compliance review advises that the Green Belt policies are Partially Compliant – less weighting can be applied, greater weight given to the NPPF
- 5.6 A Conservation Area Appraisal and Management Plan for Noak Bridge was published in 2012.



5.7 BBC is now well-advanced in the preparation of a new Local Plan review. It will set out a vision for the future of the Borough up to 2043. The timetable in the most recent version of the Local Development Scheme is:

- Regulation 19 - Publication of a Local Plan (including consultation) (Autumn 2025)
- Regulation 24 - Independent Examination (January 2026)
- Regulation 26 - Adoption of the Local Plan (Winter 2026)

5.8 The submitted Plan has been prepared within its up-to-date development plan context. In doing so, it has relied on up-to-date information and research that has underpinned existing planning policy documents. This is good practice and reflects key elements in Planning Practice Guidance on this matter.

*Visit to the neighbourhood area*

5.9 I visited the neighbourhood area on 15 July 2025. I approached it from A127 to the south. This helped me to understand its position in the wider landscape and its accessibility to the road network.

5.10 I spent time looking at important matters affected by the Plan including the village itself, the Nature Reserve, the proposed Local Green Spaces, and the Green Belt land to the north of the village.

## 6 The Neighbourhood Plan and the Basic Conditions

- 6.1 This section of the report deals with the submitted neighbourhood plan as a whole and the extent to which it meets the basic conditions. The submitted Basic Conditions Statement has helped in the preparation of this section of the report. It is an informative and well-presented document.
- 6.2 As part of this process, I must consider whether the submitted Plan meets the basic conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. To comply with the basic conditions, the Plan must:
- have regard to national policies and advice contained in guidance issued by the Secretary of State;
  - contribute to the achievement of sustainable development;
  - be in general conformity with the strategic policies of the development plan in the area;
  - not breach, and otherwise be compatible with, the assimilated obligations of EU legislation (as consolidated in the Retained EU Law (Revocation and Reform) Act 2023 (Consequential Amendment) Regulations 2023; and
  - not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

I assess the Plan against the basic conditions under the following headings:

### *National Planning Policies and Guidance*

- 6.3 For the purposes of this examination the key elements of national policy relating to planning matters are set out in the National Planning Policy Framework December 2023 (NPPF).
- 6.4 The NPPF sets out a range of land-use planning principles to underpin both plan-making and decision-taking. The following are particularly relevant to the Noak Bridge Neighbourhood Development Plan:
- a plan-led system - in this case the relationship between the neighbourhood plan and the development plan context as described in Section 5 of this report;
  - building a strong, competitive economy;
  - recognising the intrinsic character and beauty of the countryside and supporting thriving local communities;
  - taking account of the different roles and characters of different areas;
  - highlighting the importance of high-quality design and good standards of amenity for all future occupants of land and buildings; and
  - conserving heritage assets in a manner appropriate to their significance.
- 6.5 Neighbourhood plans sit within this wider context both generally, and within the more specific presumption in favour of sustainable development. Paragraph 13 of the NPPF indicates that neighbourhoods should both develop plans that support the strategic

needs set out in local plans and plan positively to support local development that is outside the strategic elements of the development plan.

- 6.6 In addition to the NPPF, I have also taken account of other elements of national planning policy including Planning Practice Guidance and the recent ministerial statements.
- 6.7 Having considered all the evidence and representations available as part of the examination I am satisfied that the submitted Plan has had regard to national planning policies and guidance subject to the recommended modifications in this report. It sets out a positive vision for the future of the neighbourhood area and includes a series of policies that address a range of development and environmental matters. It has a focus on safeguarding its built and natural environments, designating a package of local green spaces and safeguarding community facilities.
- 6.8 At a more practical level, the NPPF indicates that plans should provide a clear framework within which decisions on planning applications can be made and that they should give a clear indication of how a decision-maker should react to a development proposal (paragraph 16d). This is reinforced in Planning Practice Guidance (ID:41-041-20140306) which indicates that policies in neighbourhood plans should be drafted with sufficient clarity so that a decision-maker can apply them consistently and with confidence when determining planning applications. Planning practice guidance also advises that planning policies should be concise, precise, and supported by appropriate evidence.
- 6.9 As submitted, the Plan does not fully accord with these practical issues. Most of my recommended modifications in Section 7 relate to matters of clarity and precision. They are designed to ensure that the Plan fully accords with national policy.

#### *Contributing to sustainable development*

- 6.10 There are clear overlaps between national policy and the contribution that the submitted Plan makes to the local delivery of sustainable development. Sustainable development has three principal dimensions – economic, social, and environmental. I am satisfied that the submitted Plan has set out to achieve sustainable development. In the economic dimension, the Plan includes policies for infill and redevelopment (Policy NB1) and for the rural economy (Policy NB20). In the social dimension, it includes policies on housing mix (Policy NB4) local green spaces (Policy NB10), and a series of community facilities (Policies NB21-24). In the environmental dimension, the Plan positively seeks to protect its natural, built, and historic environment. It includes policies on the Green Belt (Policy NB5), landscape character (Policy NB6), the Nature Reserve (Policy NB8) and design (Policy NB15). This assessment overlaps with the details on this matter in the submitted Basic Conditions Statement.

#### *General conformity with the strategic policies in the development plan*

- 6.11 I have already commented in detail on the development plan context in the Borough in paragraphs 5.4 to 5.8 of this report.

- 6.12 I consider that the submitted Plan delivers a local dimension to this strategic context and supplements the detail already included in the adopted development plan. Subject to the recommended modifications in this report, I am satisfied that the submitted Plan is in general conformity with the strategic policies in the development plan.

#### *Strategic Environmental Assessment*

- 6.13 The Neighbourhood Plan (General) (Amendment) Regulations 2015 require a qualifying body either to submit an environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 or a statement of reasons why an environmental report is not required.
- 6.14 NBPC commissioned a SEA screening opinion which was published in June 2024. It advises that the Plan:
- does not propose sites for residential development;
  - does not propose sites for employment development; and
  - will protect community assets, local green spaces, infrastructure etc, which is not considered likely to have a significant effect on the environment.

It was therefore considered that there is not a need to undertake a SEA for the Plan.

#### *Habitats Regulations Assessment*

- 6.15 A HRA screening report of the Plan was commissioned and published at the same time. It advises that there are no European sites either within, or within 10 km of, the neighbourhood area that would be affected by the policies in the Plan, and that an Appropriate Assessment was not required.

#### *Human Rights*

- 6.16 In a similar fashion I am satisfied that the submitted Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights (ECHR) and that it complies with the Human Rights Act. There is no evidence that has been submitted to me to suggest otherwise. There has been full and adequate opportunity for all interested parties to take part in the preparation of the Plan and to make their comments known. On this basis, I conclude that the submitted Plan does not breach, nor is in any way incompatible with the ECHR.

#### *Summary*

- 6.17 On the basis of my assessment of the Plan in this section of my report, I am satisfied that it meets the basic conditions subject to the incorporation of the recommended modifications contained in this report.

## 7 The Neighbourhood Plan policies

- 7.1 This section of the report comments on the policies in the Plan. It makes a series of recommended modifications to ensure that the various policies have the necessary precision to meet the basic conditions.
- 7.2 The recommendations focus on the policies in the Plan given that the basic conditions relate primarily to this aspect of neighbourhood plans. However, in some cases, I have also recommended changes to the associated supporting text.
- 7.3 I am satisfied that the content and the form of the Plan is fit for purpose. It is distinctive and proportionate to the neighbourhood area. The wider community and NBPC have spent time and energy in identifying the issues and objectives that they wish to be included in their Plan. This sits at the heart of the localism agenda.
- 7.4 The Plan has been designed to reflect Planning Practice Guidance (Section 41-004-20190509) which indicates that neighbourhood plans must address the development and use of land. It also includes a series of Community Aspirations (Section 11).
- 7.5 I have addressed the policies in the order that they appear in the submitted Plan.
- 7.6 For clarity, this section of the report comments on all the policies.
- 7.7 Where modifications are recommended to policies they are highlighted in bold print. Any associated or free-standing changes to the text of the Plan are set out in italic print.

### *The initial parts of the Plan (Sections 1-5)*

- 7.8 The initial elements of the Plan set the scene for the policies. They are proportionate to the neighbourhood area and the subsequent policies.
- 7.9 The Introduction (Section 1) sets out a clear background to the Plan. It comments about the wider neighbourhood plan agenda. The Introduction identifies the neighbourhood area (in Figure 1) and section 1.7 describes the Plan period. Section 1.8 helpfully describes the neighbourhood plan process in a chart format.
- 7.10 Section 2 comments about the development plan context in which the Plan has been prepared.
- 7.11 Section 3 comments about the parish to very good effect. The information helpfully underpins several of the policies.
- 7.12 Section 4 comments about the vision and objectives of the Plan and how they provide a structure for the resulting policies. A comprehensive vision is set out in Section 4.1.
- 7.13 The Vision is underpinned by five themed groups of objectives. Section 5 then helpfully identifies the way in which the themed objectives provide the structure for the Plan
- 7.14 The remainder of this section of the report addresses each policy in turn in the context set out in paragraphs 7.5 to 7.7 of this report.

### General commentary on the policies

7.15 The policies are well-presented. Information is provided for each policy on the following matters:

- Justification from the Evidence Base;
- Core Objectives; and
- Relevant national and local policies.

7.16 This approach provides assurance that the policies have been carefully developed. Furthermore, each policy is also supported by comprehensive supporting text.

### Policy NB1 Infill and Redevelopment to Provide New Housing

7.17 This policy sets a spatial strategy for neighbourhood area. It proposes that development is concentrated in the built-up area. It comments that locations elsewhere are in the countryside. The policy includes a series of criteria.

7.18 In general terms the direction of the policy is positive and will focus new development in locations with ready access to the commercial and community facilities in Noak Bridge.

7.19 Woosington One Limited comments that:

*'The policy text clearly does not accord with national planning policy, which does not solely restrict new housing development to sites within the built part of existing settlements, in order to exclude open countryside. Indeed, national planning policy make clear that previously developed land may be located in open countryside, or within the Green Belt. It is not restricted to existing settlements. National planning policy includes exceptions where development within the Green Belt is not inappropriate, and this includes situations involving previously developed land. Policy NB1 which directs that only previously developed land within the existing settlement will be considered acceptable is therefore fundamentally inconsistent with national planning policy.'*

7.20 Bloor Homes comments that:

*'Policy NB1 sets out the requirements for infill and redevelopment to provide new housing within the Noak Bridge settlement. However, the emerging draft Basildon Local Plan defines Noak Bridge as part of Basildon, which falls within the 'Large Town' designation, and states that there should be a presumption in favour of sustainable development within these locations. Policy NB1 should highlight this presumption and adopt a less restrictive approach to align with emerging policy.'*

7.21 I have considered these representations carefully alongside NBPC's responses to the clarification note. Whilst I understand Bloor Homes' comments about the emerging Local Plan, a submitted Plan is assessed against the contents of the adopted Plan. I recommend modifications and a broader recasting of the wider policy to incorporate the Woosington comments. This acknowledges that national policy is more nuanced on development outside built-up areas than is suggested in the Plan. I also recommend

a consequential modification to the supporting text. This policy is one which may need to be reviewed once the emerging Local Plan is adopted.

- 7.22 Otherwise the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

**Replace the policy with:**

**‘Infill housing development or proposals for the redevelopment of previously developed land or buildings will be supported within the built part of the settlement of Noak Bridge. Any such proposals should demonstrate that: [Insert the seven bullet points]**

**Development proposals outside the built part of the settlement of Noak Bridge will be considered against national and local planning policies including those for the Green Belt.’**

*Replace the final sentence of paragraph 6.1.8 with:*

*‘Development proposals outside the built part of the settlement of Noak Bridge will be considered against national and local planning policies including those for the Green Belt. Policy NB2 of the Plan may need to be reviewed once the emerging Local Plan has been adopted.’*

Policy NB2 Extensions to Existing Dwellings

- 7.23 The policy advises that development proposals for residential extensions will be supported where they will not result in over-development of the site and where they comply with various criteria. In general terms the policy takes a positive approach to this matter and seeks to implement the Noak Bridge Character Appraisal and Design Code.
- 7.24 I recommend that the wording used in some of the criteria are modified so that they acknowledge the role of a neighbourhood plan within the wider development plan. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

**In the second, third and fourth parts of the policy replace ‘must’ with ‘should’**

Policy NB3 Replacement Dwellings

- 7.25 The policy addresses proposals for the replacement of a dwelling. It is based around a series of criteria
- 7.26 In general terms, the policy takes a positive approach to this matter and seeks to implement the Noak Bridge Character Appraisal and Design Code.
- 7.27 I recommend that the wording used in some of the criteria are modified so that they acknowledge the role of a neighbourhood plan within the wider development plan. I also recommend that the second criterion on the Green Belt is modified so that it more simply refers to national Green Belt policy. Finally, I recommend that the final criterion

on the position of a replacement dwelling is modified so that it more practically relates to the development management process rather than seeking to be very prescriptive. The revised approach will also acknowledge the transitional arrangements between the original house and its replacement.

- 7.28 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

**Replace the opening element of the policy with: ‘Proposals for replacement dwellings should meet the following criteria:’**

**Replace the second criterion with: ‘It responds positively to national Green Belt policy;’**

**In the fifth criterion replace ‘must’ with ‘should’**

**Replace the final criterion with: ‘the replacement dwelling should have a similar relationship with the plot as the original property’**

Policy NB4 Housing Mix

- 7.29 The policy comments that on schemes of ten or more dwellings, proposals for residential development will be required to demonstrate that the mix of dwelling types, tenures and sizes are appropriate and relate to the needs of current and future households. The policy advises that this may include consideration of the need for specialist housing (bungalows, sheltered flats, older person homes etc), lower density larger family housing, affordable housing, and First Homes.
- 7.30 In general terms the policy takes a positive approach to this matter and seeks to implement the findings of the Residents’ survey 2019 and the South Essex Housing Needs Assessment 2022 (as detailed in the supporting text)
- 7.31 I recommend that the policy wording is modified so that the second sentence flows more naturally from the first sentence. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of the social and the environmental dimensions of sustainable development.

**Replace the policy with: ‘Development proposals for ten or more dwellings, should demonstrate that the mix of dwelling types, tenures and sizes are appropriate and relate to the needs of current and future households in the neighbourhood area. Where appropriate this should include consideration of the need for specialist housing (bungalows, sheltered flats, older person homes etc), lower density larger family housing, affordable housing and First Homes (as highlighted in Design Code HO.02).**

Policy NB5 Green Belt

- 7.32 The context to this policy is that large proportion of the parish lies in the Metropolitan Green Belt, other than the village area to the south of Wash Road and the plots surrounding Martindale Avenue.



- 7.33 The policy advises that the Green Belt is shown on Figure 21. It advises that the Green Belt will continue to be protected to maintain its openness and permanence. It also comments that development proposals in the Green Belt will be determined against principles set out in the policies of the development plan and NPPF and that proposals for inappropriate development will not be supported except in very special circumstances.
- 7.34 Representations were received from Woolsington One and Bloor Homes based around the revisions to the Green Belt in the 2024 version of the NPPF and that the extent of the Green Belt is being addressed in the emerging Local Plan.
- 7.35 I sought comments from NBPC about the extent to which the policy would bring any added value above national Green Belt policy. In its response to the clarification note NBPC commented that:

*'The Green Belt is shown on Figure 21. The policy advises that the Green Belt will continue to be protected to maintain its openness and permanence. Development proposals in the Green Belt will be determined against principles set out in the policies of the development plan and NPPF. Proposals for inappropriate development will not be supported except in very special circumstances.'*

*At the time that the Neighbourhood Plan was submitted for examination in July 2024 the emerging Basildon Local Plan had not been published. The policy context was therefore a very outdated Local Plan, and it was critical that the Neighbourhood Plan (NP) made clear the current boundaries of the Green Belt in circumstances where the adopted Local Plan might be judged to be 'out of date' in certain key respects.*

*(BC) only formally accepted the submission of the NP in September 2024, and then delayed the Regulation 16 consultation until 24th February 2025, some seven months after the NP was first submitted for examination. During that time (BC) published the first Regulation 18 draft of their new Local Plan on 18th November 2024. That Plan is not projected to be adopted until at least the end of 2026, still some time into the future.*

*Given that the adopted Local Plan was adopted in 1998, some 27 years ago, and the policies were then saved in 2007, 18 years ago, there remains a concern that there will continue to be a risk of a policy vacuum in relation to Green Belt policy at a local level. The March 2025 Basildon Council Compliance Review of Saved Local Plan Policies against the December 2024 NPPF makes clear that all of the saved Green Belt policies attract only partial weight, and that this weight is less than the weight attached to the NPPF.*

*The approach set out in Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) states "If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise". It is clear that in this context, a 'made' NP would be a development plan document, with which planning determinations must accord (subject to material considerations / planning balance arguments). Until such time as there is an up-to-date adopted Local Plan in place (not before end of 2026/early 2027) the NP Green*

*Belt policy NB5 therefore remains of critical importance in terms of providing an up-to-date policy that is NPPF compliant and with which planning decisions in Noak Bridge Parish must accord (see also the concerns expressed below in relation to the Green Belt under Policy NB10 below). This alone is clear justification for retaining the policy in the NP as drafted.'*

- 7.36 Plainly this is an important policy in the Plan. It seeks to safeguard the openness of the Green Belt to the north of the built village in the context of progress on the emerging local plan and national policy. In effect the policy defines the Green Belt and then summarises the national approach to the Green Belt as described in the December 2023 version of the NPPF.
- 7.37 The approach taken is unusual and seeks to manage the transition from the current to the emerging Local Plan. Nevertheless, it brings no added value to the national and local policies against which it assessed.
- 7.38 I have also addressed the broader issue that national policy on the Green Belt (in Section 13 of the NPPF) is inevitably strategic in its nature. In all the circumstances I recommend that the policy is deleted as it simply restates national policy on the Green Belt as it was in December 2023. Nevertheless, I am satisfied that the supporting text (with modifications) should remain in the Plan. It highlights the importance of the issue and identifies that the matter will be addressed in the emerging Local Plan.

#### **Delete the policy**

*At end of paragraph 7.1.3 add: Basildon Council is working to prepare a Local Plan to replace the Saved Policies. This will provide an opportunity for it to include a strategic policy on the Green Belt which responds to the contents of the NPPF of December 2024.'*

#### **Policy NB6 Landscape Character**

- 7.39 The policy comments that development proposals should demonstrate how they preserve or enhance the landscape character of the neighbourhood area, taking into consideration the Landscape Character Appraisal and the Noak Bridge Design Code. It is also underpinned by the Essex Landscape Character Assessment (2003) and includes locally distinctive criteria.
- 7.40 I recommend a modification to the wording used in first part of the policy to bring the clarity required by the NPPF. I also recommend the introduction of a proportionate element into the second part of the policy. This acknowledges that the criteria will apply differently to specific development proposals. This was agreed by NBPC in its response to the clarification note
- 7.41 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

**In the opening element of the policy replace 'NDP area' with 'neighbourhood area'**

**Replace the opening element of the second part of the policy with: ‘As appropriate to their scale, nature and location, development proposals should reflect the characteristics which define the character of the wider landscape which is within the Metropolitan Green Belt, including:’**

#### Policy NB7 Biodiversity

- 7.42 The policy advises that development proposals should maintain and enhance the local biodiversity of the neighbourhood area including the maintenance and creation of wildlife corridors as shown on Figure 23.
- 7.43 I recommend that the first part of the policy is simplified to bring the clarity required by the NPPF.
- 7.44 The second part of the policy comments about wildlife corridors and their ability to be extended into the neighbourhood area. Plainly this is a very laudable approach. Nevertheless, a neighbourhood plan cannot comment about land outside its designated area. As such I recommend this part of the policy is deleted. I also recommend consequential modifications to paragraph 7.3.9 and Figure 23.
- 7.45 The third part of the policy is a process issue (the information to be provided) rather than a land use planning policy. As such I recommend its deletion and repositioning into the supporting text.
- 7.46 The fourth part of the policy comments about the national biodiversity net gain agenda. However, there is no need for a neighbourhood plan to repeat such information. On this basis I recommend that this part of the policy is deleted.
- 7.47 I also recommend consequential modifications to the supporting text.

#### **Replace the policy with:**

**‘Development proposals should maintain and enhance the local biodiversity of the neighbourhood area including the maintenance and creation of wildlife corridors as shown on Figure 23.’**

*At the end of paragraph 7.3.8 add: ‘In addition development proposals should be accompanied by surveys which assess the impact of the development on local biodiversity.’*

*Replace 7.3.9 with: ‘Figure 23 illustrates the location of the Reserve together with the Priority Habitat sites within the neighbourhood area. There are very few Priority Habitats, with these being the area of woodland located on the Noak Bridge Village Green and the Noak Bridge Natural Reserve itself.’*

*In Figure 23 show only the sites in the neighbourhood area.*

#### Policy NB8 Noak Bridge Nature Reserve

- 7.48 The policy advises that proposals which may affect Noak Bridge Nature Reserve SINC visually or physically should meet four criteria

- 7.49 This is an excellent locally-distinctive policy which responds positively to Section 16 of the NPPF. I recommend that the opening element is recast so that it has the clarity required by the NPPF. Otherwise, I am satisfied that the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

**Replace the opening element of the policy with: ‘Development, proposals adjacent to, or which may otherwise affect, the Noak Bridge Nature Reserve SINC should:’**

Policy NB9 Green and Blue Infrastructure, Landscaping and Planting

- 7.50 This is a very comprehensive and wide-ranging policy on green and blue infrastructure.
- 7.51 In general terms it responds positively to Sections 14 and 15 of the NPPF. In this context I recommend two modifications to the policy to bring the clarity required by the NPPF and to allow BBC to be able to implement its contents through the development management process. Otherwise, I am satisfied that the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

**Replace the first part of the policy with: ‘Development proposals that would result in the loss of or damage to existing watercourses, water bodies, trees, and woodland (see Figure 25) will not be supported, unless appropriate justification is provided.’**

**In the second part of the policy replace ‘shall’ with ‘should’**

Policy NB10 Local Green Spaces

- 7.52 The policy proposes the designation of seventeen Local Green Spaces (LGS). The approach taken is underpinned by LGS Assessment (2022). I looked carefully at the proposed LGSs during the visit.
- 7.53 Based on all the evidence, including my own observations, I am satisfied that LGSs 1-7 and LGSs 9-17 meet the various criteria in sections 105 and 106 of the NPPF.

LGS8

- 7.54 This proposed LGS is a field to the east of Martindale Avenue. I sought advice from NBPC about the extent that it considered that the proposed LGS brings any added value beyond its inclusion within the Green Belt. In its response to the clarification note it commented that:

*‘Site LG-8 (referred to in the Local Green Space (LGS) Study as site LG10 – (field to the east of Martindale Avenue) is proposed to be retained as landscaping and public open space on the current Woolsington One Green Infrastructure Parameter Plan for the hybrid application that includes this site*

*This endorsement of the approach to designate it as a LGS is welcomed.*

*There is a clear possibility that this site and others currently located in the Green Belt may be released for development either by Basildon Council or on appeal in the near future. For example, a development proposal on land to the South of Wash Road and to the East of Noak Bridge (reference 23/01551/OUT) for up to 400 new dwellings is located in the Green Belt and within the NP area, yet it was resolved to be approved in January 2025 subject to signing a S106 agreement, with the officers of the LPA citing the claimed status of that site as 'Grey Belt', and a lack of a 5 year housing land supply as contributing to Very Special Circumstances existing notwithstanding significant harms identified. Furthermore the latest Housing Delivery Test results had just been published (December 2024), indicating that Basildon Borough had delivered only 35% of the necessary number of homes rather than the 95% target.*

*There are other cases in Basildon Borough (Land West of Laindon Road, Billericay) where Green Belt policy has been outweighed by housing need and other considerations in the last few months, suggesting that Green Belt policy is not necessarily sufficient protection against development where there is a poor housing land supply position.*

*In this context, it therefore remains critical to designate site LG-8 as a Local Green Space, because the Green Belt designation may not provide the protection alluded to in the question, given that site LG-8 forms part of a larger current planning application proposal that remains undetermined at the time of writing.'*

7.55 The response highlights several overlapping issues as follows:

- the housing land supply situation in the Borough;
- the importance of the emerging Local Plan in addressing this matter;
- the revisions to Green Belt policy which were introduced in the December 2024 version of the NPPF;
- the way in which current planning applications are seeking to address these matters; and
- the way in which the Woollington One hybrid application for 300 homes on land at Wash Road Junction with Bridge Street Wash Road Laindon (25/00171/OUT) proposes to safeguard the proposed LGS within its overall layout. That application was undetermined when this report was prepared.

7.56 Plainly these are important matters locally and have resulted in NBPC's proposed designation of the LGS. However, my role is limited to a matter-of-fact assessment of each of the proposed LGSs against national policy (in this case the criteria in the NPPF and the commentary in Planning practice guidance).

7.57 In relation to the former I am satisfied that the proposed LGS is in close proximity to the community it serves. On the issue of it being demonstrably special to a local community and holds a particular local significance, I saw first-hand that the field is largely enclosed on all boundaries by mature planting. I note the comments in the Assessment that it holds great significance to the local community, as it is a place that has public access via a Public Right of Way across the site. I also note that it provides instant access to the open countryside and Rights of Way network beyond as well as

important views towards the wider countryside. In this context I am satisfied that the proposed LGS meets this test.

- 7.58 The site measures 1.3 ha. On this basis I conclude that it is local in character and not an extensive parcel of land.
- 7.59 Paragraph 105 of the NPPF comments that designating land as Local Green Space should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. I have considered this matter very carefully. In the context of the bullet points in paragraph 7.55 of this report I am unable to conclude that the proposed LGS would be consistent with the local planning of sustainable development. The publication of a new Local Plan is imminent and there is a current planning application on the site (which has been submitted since the LGS Assessment was prepared).
- 7.60 Paragraph 105 of the NPPF comments that LGSs should be capable of enduring beyond the end of the Plan period. As with the consistency test above in the context of the bullet points in paragraph 7.55 I am unable to conclude that the proposed LGS would be capable of enduring beyond the end of the Plan period.
- 7.61 The proposed LGS is in the Green Belt (as shown on Figure 21 of the Plan). Planning practice guidance (ID: 37-010-20140306) advises that if land is already protected by Green Belt policy, then consideration should be given to whether any additional local benefit would be gained by designation as Local Green Space. Whilst the LGS Assessment does not directly address this issue I have noted NBPC's comments in the final two parts of its response to the clarification note.
- 7.62 In all the circumstances I recommend that the proposed LGS is deleted from the Plan on the basis that it does not meet the criteria in paragraph 105 of the NPPF. I have also concluded that if the overlapping issues of housing land supply and the emerging Local Plan (which will address Green Belt issues based on the most recent version of the NPPF) did not exist I would have otherwise concluded that the proposed designation of the land as a LGS would not have brought any additional local benefit beyond the existing controls which exist in the Green Belt.
- 7.63 I note that the Woolsington One planning application proposes the retention of the land concerned as an open space. Plainly BBC will come to a decision on this matter. However, if planning permission is granted and the development proceeds NBPC would be able to make a case for the designation of the land (albeit in a different context) as a LGS at that point.

*The policy wording*

- 7.64 The policy itself takes the matter-of-fact approach as set out in paragraph 107 of the NPPF. However, I recommend that it is modified so that it follows the industry standard way of presenting a LGS policy. The recommended wording acknowledges the role of a neighbourhood plan within the wider development plan.
- 7.65 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

### Delete LGS 8 from the policy

**Replace the final element of the policy to read: ‘Proposals for development on the designated Local Green Spaces will only be supported in very special circumstances.’**

*Delete LGS 8 from Figure 27*

#### Policy NB11 Important Views

- 7.66 The policy identifies 20 Important Views. The policy (including the identification of the important views) is underpinned by the findings of Appendix 4i of the Character Appraisal. I note that this work has been undertaken by a specialist organisation with experience and expertise in these matters.
- 7.67 The policy has two related parts. The first advises that development proposals should preserve or enhance the local character of the landscape and through their design, height and massing should recognise and respond positively to the various Important Views. The second advises that development proposals which would have a significant adverse impact on an identified Important View will not be supported.
- 7.68 Woolsington One Ltd comment
- ‘Policy NB11 seeks to designate important local views, including View 16: Northwards towards Great Burstead Church. It is worth noting that in our client’s planning application, the shape and configuration of the main development parcel (Phase 1) has been focussed on maintaining this view through the development site, and framing the view. As such we consider that the proposals would achieve the requirement of the draft policy, which states that “development proposals should preserve or enhance the local character of the landscape and through their design, height and massing should recognise and respond positively to the various Important Views.”’*
- 7.69 I note that the planning application mentioned in the representation is a hybrid application for 300 homes on land at Wash Road Junction with Bridge Street Wash Road Laindon (25/00171/OUT). That application was undetermined when this report was prepared.
- 7.70 Bloor Homes comment that:
- ‘the Important Views (Figure 28) cover much of the Neighbourhood Plan Area and include 20 views. This combination creates an approach which may prelude sustainable development across the plan area.’*
- 7.71 I have also noted NBPC’s responses to the representations and its comments on the ability of development proposals to safeguard important views and incorporate them sensitively into their designs and layouts.
- 7.72 In the round I am satisfied that the policy has been prepared in a positive way and that the important views have been properly defined. It has regard to Section 15 of the NPPF. This overall structure of the policy provides appropriate balance and flexibility.

I am satisfied that the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

#### Policy NB12 Flooding and Drainage

- 7.73 This is a comprehensive policy on flooding and drainage. The Plan explains that the context is that Figure 30 shows the predicted 1 in 1000-year (Flood Zone 2) and 1 in 100-year (Flood Zone 3) flood outlines, which cover the northern and eastern part of the Plan Area. These areas are particularly vulnerable to flooding due to their association with the River Crouch and its tributaries. It is a good locally distinctive policy which has regard to Section 14 of the NPPF.
- 7.74 I recommend the following package of modifications to bring the clarity required by the NPPF and to allow BBC to be able to apply its contents through the development management process:
- recasting of the wording of the first part; and
  - revisions to wording in the third and fourth parts of the policy.

- 7.75 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

**Replace the first part of the policy with: ‘Development proposals should demonstrate that surface water drainage will not add to the existing site runoff or cause any unacceptable impact to neighbouring properties and the surrounding environment.’**

**In the third part of the policy replace ‘will be required to’ with ‘should’**

**In the fourth part of the policy replace ‘Where possible,’ with ‘Where practicable’**

#### Policy NB13 Sustainable Development

- 7.76 The policy advises that all development proposals should incorporate measures that will mitigate the effects of climate change (about Design Codes NB.02.2 and R.01-R.05, HO.06, MS.01, MS.06, MS.08). It also identifies a series of measures which would be supported.
- 7.77 In general terms the policy has regard to national policy. Nevertheless, I recommend that the policy comments about what development proposals should achieve rather than what will be supported. This acknowledges that BBC will need to consider all relevant development plan policies in determining planning applications. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

**In the first part of the policy replace ‘Proposals which achieve the following will be supported:’ with ‘Where relevant, development proposals should achieve the following matters:’**

**In the final part of the policy replace ‘NDP Area.’ with neighbourhood area’**



## Policy NB14 Air Quality

7.78 The context for the policy is that roadside data that have been recorded and published by Defra indicate that the southern part of Noak Bridge and specifically the areas adjacent to A127 and A176 suffer from poor air quality due to high volumes of traffic and congestion. The policy takes a very comprehensive approach

7.79 I sought advice from NBPC on the extent to which the policy brings any added value beyond national and local policies on Air Quality. In its response to the clarification note NBPC advised that:

*'the policy specifically addresses locally important issues, bringing a focus upon the A127 corridor in particular, but also cross-referencing local design coding (Design Code NB.01.3) and other local guidance (see point 4 of the policy). The supporting text also provides locally relevant data for the A127.'*

*The policy provides locally relevant clarity about the 'Agent of Change' principle, enshrined in paragraph 200 of the NPPF and recently re-announced by the Government as a key 'new' planning objective (points 1 and 2), so it is considered to add value at a local level in a way that is not captured in the now 'out of date' Local Plan.'*

7.80 On the balance of the evidence I am satisfied that the policy brings added local value. However, to bring the clarity required by the NPPF I recommend that the opening element of the policy is simplified and applied in a proportionate way. I also recommend that the proportionate approach continues into the first principle. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

**Replace the opening element with: 'As appropriate to their scale, nature and location, development proposals should comply with the following air quality principles**

**Replace the first principle with:**

**'Proposals that would have a significantly harmful impact on local air quality should provide a proportionate Air Quality Assessment (AQA). Where the AQA shows that constructional or operational characteristics of the development would cause harm to air quality, including cumulatively with other planned or committed development, the proposal will not be supported unless measures are adopted to acceptably mitigate the impact. Similarly, development proposals that introduce sensitive receptors (such as housing, schools, care homes, and hospitals) in locations of poor air quality will not be supported unless they are designed to mitigate their impacts.'**

## Policy NB 15 Design Principles

7.80 This is another important policy of the Plan. It advises that new development should contribute to the creation of high-quality places through a design-led approach to development underpinned by good practice principles and reflecting a thorough site

appraisal and demonstrate how it preserves and enhances features that define the character of the individual area, as set out in the Noak Bridge Design Code. The second part of the policy highlights specific matters which development proposals should address.

- 7.81 This is an excellent policy which is underpinned by the Design Code. It is a very good local response to Section 12 of the NPPF. In this context I recommend the inclusion of a proportionate element into the first part of the policy. Otherwise, I am satisfied that the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

**In the first part of the policy replace ‘New development should’ with ‘As appropriate to their scale, nature and location, development proposals should’**

#### Policy NB16 Character Areas

- 7.82 The context to the policy is that the Noak Bridge Character Appraisal identifies nine Character Areas, and each Area is defined by the geographical features, design patterns and historical links that make it distinct. A short summary of each Character Area can be seen in the table in the supporting text, whilst full details can be found in the Noak Bridge Character Appraisal. Fig 37 shows the location of the Character Areas as taken from the Character Appraisal document:

- 7.83 This is another excellent policy which is underpinned by the Design Code. It is locally distinctive. In this context I recommend the following package of modifications to bring the clarity required by NPPF:

- the first part should set out requirements rather than commenting about what will achieve planning permission. This acknowledges that BBC will need to consider development plan policies in the round.
- a simplification of the second part of the policy
- a reconfiguration of the third part of the policy to set out requirements rather than commenting about what will achieve planning permission. This acknowledges that BBC will need to consider development plan policies in the round.

- 7.84 Otherwise I am satisfied that the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

**In the first part of the policy replace ‘will be permitted provided that:’ with ‘should ensure that:’**

**Replace the second part of the policy with: ‘Development proposals which better reveal key features or landmarks in these areas, as identified in Figures 38 and 39 and which enhance the roadside landscape without reducing personal security or privacy, will be supported.’**

**Replace the third part of the policy with: ‘Wherever practicable, development proposals should use native species landscaping (including hedge and tree planting) which reflects the character of the immediate locality.’**

Policy NB17 Designated and Non-Designated Heritage Assets (including the Conservation Area)

7.85 The policy has three related elements:

- designated heritage assets and their settings, both above and below ground including the Conservation Area, listed buildings and archaeological sites (as shown on plan 38 and described in Appendix 1) will be conserved and enhanced for their historic significance and their important contribution to local distinctiveness, character, and sense of place;
- proposals for development that affect non-designated heritage assets (see Figure 39 and Character Appraisal Appendix iii) will be considered, taking account of the scale of any harm or loss and the significance of the heritage asset; and
- proposals to review the Noak Bridge Conservation Area Appraisal will be strongly supported.

7.86 In general terms this is a good policy. Based on NBPC’s response to the clarification note, I am satisfied that the first part of the policy identifies the non-designated heritage assets in an appropriate way which overlap with the commentary in the supporting text.

7.87 The commentary about a review the Noak Bridge Conservation Area reads as a statement of intent rather than a land use policy. As such, I recommend that it is repositioned into the supporting text. This was agreed by NBPC in its response to the clarification note.

7.88 Otherwise I am satisfied that the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

**In the first and second parts of the policy replace ‘NDP area’ with ‘neighbourhood area’**

**Delete the third element of the policy**

*Reposition the third element of the policy at the end of paragraph 8.5.5*

Policy NB18 Re-use of Rural Buildings

7.89 The policy advises that the conversion of rural buildings should be informed by the Noak Bridge Design Code as set out in Design Code HO.09.

7.90 This is a positive policy which has regard to Section 16 of the NPPF. In this context I recommend that the policy is more explicit in its requirements rather than the more general requirement to be informed by the Noak Bridge Design Code. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

**Replace the policy with: ‘Proposals for the conversion of rural buildings should respond positively to the Noak Bridge Design Code (Design Code HO.09).’**

Policy NB19 Dark Night Skies

- 7.91 The policy advises that development proposals that conserve and enhance relative tranquillity, in relation to light pollution and dark night skies, and comply with other relevant policies will be permitted, provided it can be demonstrated that they meet or exceed the Institute of Lighting Professionals guidance and other relevant standards or for lighting within environmental zones, and have regard to a specified hierarchy.
- 7.92 This is a good, technical policy. I am minded to recommend that it is recast so that it sets out requirements for development proposals rather than offering support to such proposals. This acknowledges that development proposals will be assessed against other relevant policies in the development plan. I also recommend that this should be applied in a proportionate way.
- 7.93 Otherwise I am satisfied that the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

**Replace the opening element of the first part of the policy with:**

**‘Development proposals should conserve and enhance tranquillity in relation to light pollution and dark night skies, and respond positively to the Institute of Lighting Professionals guidance and other relevant standards or guidance (CIE 150:2003 Guide on the Limitation of the Effects of Obtrusive Light from Outdoor Lighting Installations, or any equivalent replacement/updated guidance) for lighting within environmental zones. As appropriate to their scale, nature and location development proposals should respond positively to the following hierarchy:’**

Policy NB20 Rural Economy

- 7.94 The policy advises that new employment development should be focused upon providing workspace for existing or new small-scale businesses. The policy also requires that development proposals should comply with a series of criteria
- 7.95 The policy is a positive local response to Section 6 of the NPPF. It acknowledges the distinction between the built-up part of the parish (in the south) and the countryside (to the north).
- 7.96 I recommend the inclusion of a proportionate element into the first part of the policy and a simplification of the second part. In both cases they will bring the clarity required by the NPPF. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

**In the first part of the policy replace ‘Proposals should’ with: ‘As appropriate to their scale, nature and location, development proposals should’**

**Replace the second part of the policy with: ‘Given the constrained road network in the neighbourhood area, major development proposals should be accompanied by a Transport Statement and Travel Plan. Where appropriate developers should enter into lorry routing agreements to ensure that the rural road network is not adversely impacted.’**

Policy NB21 Noak Bridge Primary School

- 7.97 This is a detailed policy on education provision. I saw the popularity of the School during the visit.
- 7.98 The final sentence advises that mitigation should take the form of provision of education facilities on a new site serving the development or the enhancement of existing facilities. I sought commentary from NBPC on the extent to which the development of education facilities on a new site be practicable either in general, and given that the submitted Plan does not include any proposals for the allocation of land for residential development. In its response to the clarification note, NBPC advised that:

*‘Policy NB21 cross-references page 46 of the 10 Year Plan Meeting the Demand for Mainstream School Places in Essex 2023-2032, which identifies two pipeline school expansions programmes; one named as a new 2FE school at Dry Street, and the other as an (un-named) 1FE expansion of new primary education capacity. The policy is not however explicitly relying upon those two schemes which have been identified to meet (at the time anticipated) demand. Since then the acute shortfall in housing delivery in Basildon has become apparent, leading to many speculative residential applications including some in or adjacent to the NP area, the pupil numbers associated with which will not have been accounted for in the 10 Year Plan.*

*Therefore it is apparent that the last sentence of the policy is all the more important given that the Primary School is at full capacity, if unsustainable school travel patterns are to be avoided. Pupils arising from new (un-planned) developments in or near the NP area will have to travel further distances to take up places in schools with capacity, unless the developments provide land or contributions (or both depending upon the scale of development) towards education capacity provision to directly mitigate the impact of this un-planned development. The retention of the last sentence of the policy will leave developers clear as to the need to make provision for education capacity (where spaces are not available) in order to make their development acceptable, and so the preference of the Parish Council is that this sentence be retained.*

- 7.99 I have considered these issues very carefully. Plainly it is a matter which will be led and coordinated by Essex County Council in its capacity as the local education authority.
- 7.100 This is a complicated policy as no major development proposed in the Plan and as the alternative educational facilities are being considered in longer term investment plans. In this context I recommend that the policy is recast so that it can be applied in a proportionate way. The recast policy also comments that where appropriate, mitigation

should take the form of the provision of education facilities on a new site serving the development or the enhancement of existing facilities.

- 7.101 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

**Replace the policy with:**

**As appropriate to their scale and nature, proposals for major residential developments should mitigate the impact of the development on existing education services and facilities serving the neighbourhood area, including the Noak Bridge Primary School and the Pre School. Where appropriate, mitigation should take the form of the provision of education facilities on a new site serving the development or the enhancement of existing facilities.**

Policy NB22 Health Facilities

- 7.102 The policy advises that all major residential developments should be informed by discussions with the health authority, GP practice(s) and the local planning authority to ensure that the impact of the development on existing health care services and facilities serving the parish are mitigated.
- 7.103 As submitted the policy is a statement of intent rather than land use policy. I recommend that it is modified so that this matter is addressed. In drafting the recommended modification, I have carefully considered NBPC's response to the clarification note. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

**Replace the policy with: 'As appropriate to their scale, nature and location major residential developments should mitigate their effect on health care services.'**

Policy NB23 Community Facilities

- 7.104 A series of community facilities have been identified (and shown on Figure 43) as playing an important role in the sustainability of the parish and the wellbeing of the local community. The policy offers support to proposals which would improve a community facility, and sets out an approach to proposals which would involve the loss of an identified facility.
- 7.105 This is a good policy which acknowledges that the use and/or viability of community facilities may change in Plan period. I am satisfied that it has regard to Section 8 of the NPPF.
- 7.106 I recommend a simplification to the wording of the third and fourth parts of the policy to bring the clarity required by the NPPF. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

**Replace the opening element of the third part of the policy with:**

**‘Proposals for the change of use or loss of the above facilities will not be supported other than in specific circumstances including where:’**

**Replace the fourth part of the policy with:**

**‘Development proposals located near to, or forming part of an identified community facility, should not adversely affect the viability, utility, or amenity of the community facility.’**

Policy NB24 Funding New Facilities/Infrastructure

- 7.107 The context to the policy is NBPC’s view that it is essential that new development mitigates its impacts on existing facilities and infrastructure and, where appropriate, provide financial contributions towards their improvement.
- 7.108 In general terms the policy takes a positive approach to these issues. Nevertheless, I recommend that the policy is recast so that it sets out requirements for development proposals rather than offering support to such proposals. This acknowledges that development proposals will be assessed against other relevant policies in the development plan. I also recommend that the policy is applied in a proportionate way. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

**Replace the policy with:**

**‘As appropriate to their scale, nature and location development proposals should be consistent with the other policies in the Neighbourhood Plan and deliver the provision or funding of infrastructure that directly mitigates the effects of the development, through Section 106 agreements or the Community Infrastructure Levy.’**

**A list of the funding priorities is set out in Appendix 3.’**

Policy NB25 Highways, Safety and Sustainable Travel

- 7.109 This is a comprehensive policy on highways, safety, and sustainable travel.
- 7.110 I recommend that a proportionate element is included in the opening element of the policy. I also recommend the deletion of the final bullet point. It seeks to exercise a degree of control over Limiting additional businesses from locating on Wash Road and Barleylands Road due to traffic generation/safety issues when this will not be within the responsibility of applicants.
- 7.111 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

**Replace ‘All new development will be required to:’ with ‘As appropriate to their scale, nature and location, development proposals should:’**

**In the first bullet point delete ‘as appropriate’**

**Delete the final bullet point.**

**Replace the final element of the policy with: ‘Traffic calming measures should be designed to reduce speed whilst not increasing noise or having an adverse impact on residents or users of the route.’**

Policy NB26 Parking

7.112 The policy advises that development proposals must make adequate provision for vehicle and cycle parking and access for deliveries, service vehicles, tradesmen working on-site and social visitors as well as for residents or workers. Regard must be had to the Noak Bridge Design Code, (Code MS.06.1 to Code MS.07.1) as well as other movement, services, and sustainability codes.

7.113 I recommend that the wording used in the first part of the policy is modified so that it acknowledges the role of a neighbourhood plan in the wider development plan.

7.114 I sought advice from NBPC on the extent to which the second sentence of the second part of the policy is necessary given the contents of the first part. In its response to the clarification note NBPC advised that

*‘The second sentence of the second part of the policy was introduced as a response to issues raised by the local community to deal with an issue of concern to them – too much on-street parking on roads not designed for that purpose.*

*The first part of the policy cross-refers to the design coding. Reference to design code MS.07 reveals that it addresses on-street parking in a slightly different way to the approach in policy NB26 by stating that “On-street parking should not dominate the street scene. It should be broken up with vegetation which should be place so as not to adversely affect visibility.”*

*As can be seen, the coding is more concerned with the design aspects of parking, and not the safety and functional/operational aspects of on-street parking so the two paragraphs in policy NB26 perform different roles. As a result the second sentence of the second paragraph of the policy is considered to be necessary given the wording of the design coding*

7.115 I have considered this response very carefully. On the balance of the evidence, I am satisfied that the second part of the policy complements the first part and will provide an important element of the development plan. Nevertheless, I recommend that its format is modified so that it does not repeat the first part of the policy and is presented in a clearer way. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

**In the first part of the policy replace ‘must’ with ‘should’**

**Replace the second part of the policy with:**

**‘Development proposals that rely on vehicles parking on existing streets where those streets are narrow, already heavily trafficked, have identified parking issues (as shown in Figure 44), or where such on-street vehicle parking would**



**impact on the safety of road users or adversely impact the character of the area will not be supported.'**

#### Community Aspirations

- 7.116 Section 11 includes a series of Community Actions. They are non-land use matters which have naturally arisen as the Plan has been prepared. They are presented separately from the land use policies in accordance with national advice.
- 7.117 I am satisfied the Actions are locally-distinctive and appropriate to be included in the Plan.

#### Delivery, Review and Monitoring

- 7.118 Section 12 of the Plan addresses these issues in a very effective way. Paragraph 12.2.2 comments about an annual review of the effectiveness of the Plan. This is best practice. Given the importance of the adoption of the emerging Local Plan, I recommend the inclusion of an additional paragraph. The action proposed would comfortably relate to and reinforce the annual review cycle.

#### *Include an additional paragraph to read*

*'12.2.3 The adoption of the emerging Local Plan may change the development plan context within which the Plan will operate. In this context the Parish Council will assess the need for a full or a partial review of the neighbourhood plan within six months of the adoption of the Local Plan.'*

#### Other Matters - General

- 7.119 This report has recommended a series of modifications both to the policies and to the supporting text in the submitted Plan. Where consequential changes to the text are required directly because of my recommended modification to the policy concerned, I have highlighted them in this report. However other changes to the general text may be required elsewhere in the Plan because of the recommended modifications to the policies. Similarly, changes may be necessary to paragraph numbers in the Plan or to accommodate other administrative matters. It will be appropriate for BBC and NBPC to have the flexibility to make any necessary consequential changes to the general text. I recommend accordingly.

*Modification of general text (where necessary) to achieve consistency with the modified policies and to accommodate any administrative and technical changes.*

## 8 Summary and Conclusions

### *Summary*

- 8.1 The Plan sets out a range of policies to guide and direct development proposals in the period up to 2042. It is distinctive in addressing a specific set of issues that have been identified and refined by the wider community to safeguard the character and setting of the neighbourhood area and to designate a package of local green spaces.
- 8.2 Following the independent examination of the Plan, I have concluded that the Noak Bridge Neighbourhood Development Plan meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications.

### *Conclusion*

- 8.3 On the basis of the findings in this report, I recommend to Basildon Borough Council that subject to the incorporation of the modifications set out in this report the Noak Bridge Neighbourhood Development Plan should proceed to referendum.

### *Other Matters*

- 8.4 I am required to consider whether the referendum area should be extended beyond the neighbourhood area. In my view, the neighbourhood area is entirely appropriate for this purpose and no evidence has been submitted to suggest that this is not the case. I therefore recommend that the Plan should proceed to referendum based on the neighbourhood area as approved by Basildon Borough Council on 22 November 2018.
- 8.5 I am grateful to everyone who has contributed to the examination of the Plan. The Parish Council's responses to the clarification note were both comprehensive and helpful.

**Andrew Ashcroft**  
**Independent Examiner**  
**17 October 2025**