



ASSINGTON

Neighbourhood Plan 2018 - 2036

Basic Conditions Statement August 2020



Assington Parish Council

Prepared for Assington Parish Council by
Places4People Planning Consultancy
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1 Introduction

1.1 As part of the formal submission of the Assington Neighbourhood Plan (ANP) for Examination, there is a requirement for the Parish Council, as the 'qualifying body' to illustrate that they have complied with a series of 'basic conditions' as set out in the Town & Country Planning Act 1990 (as amended). This Statement accompanies the submission to the local planning authority, Babergh District Council, of the ANP under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 ("the Regulations"). Regulation 15 requires a submission neighbourhood development plan to be accompanied by *"a statement explaining how the proposed neighbourhood development plan meets the requirements of paragraph 8(2) of Schedule 4B to the 1990 Act"*.

1.2 This statement has been prepared in order to confirm compliance with these basic conditions as follows:

Section 2 identifies the legislative requirements for the 'basic conditions'

Section 3 identifies how the Plan Objectives and Policies are in general conformity with the National Planning Policy Framework and the Strategic Policies of the adopted Local Plan.

Sections 4 confirms that the neighbourhood plan is compatible with the Convention Rights.

It is considered that the Neighbourhood Plan (ANP) complies with the requirements of the basic conditions as set out in Paragraph 8(1)(a) of Schedule 4B of the Act.

2. Legal Requirements

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

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

- (a) whether the draft neighbourhood development plan meets the basic conditions (see sub-paragraph (2)),
- (b) whether the draft neighbourhood development plan complies with the provision made by or under sections 38A and 38B of this Act,
- (d) whether the area for any referendum should extend beyond the neighbourhood area to which the draft neighbourhood development plan relates, and
- (e) such other matters as may be prescribed.

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

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

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

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

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

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

The Regulations substitute a new basic condition which states:

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

Meeting the Legal Requirements

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

Requirement	Interpretation	NP response
4B 8 (1)(a) Whether the Draft NP meets the Basic Conditions	This requires the NP to demonstrate compliance with paragraph 8(2) of Schedule 4B of the T&CP Act.	This is considered in detail in later sections of this Statement.
4B 8 (1)(b) Whether the Draft Order Complies with Sections 38A & 38B of the Compulsory Purchase Act 2004	This requires the draft order to comply with Sections 38A & 38B of the Compulsory Purchase Act 2004. Section 38A sets out the "Meaning of Neighbourhood Development Plan".	Compliance with Sections 38A and 38B is demonstrated in the following rows.
	Section 38A(1) "any qualifying body is entitled to initiate a process for the purpose of requiring a Local Planning Authority in England to make a Neighbourhood Development Plan."	The Neighbourhood Plan has been submitted by Assington Parish Council, a qualifying body (as defined in the Localism Act 2011).
	Section 38A(2) A "Neighbourhood Development Plan is a plan which sets out policies (however expressed) in relation to the development and use of land in the whole or any part of a particular neighbourhood area specified in the plan."	The ANP sets out Policies that relate to the development and use of land for the Neighbourhood Area covering the Parish of Assington, as designated by Babergh District Council on 29 June 2018. The boundary of the Neighbourhood Area is shown in the NP.
	Section 38A, Paragraphs (3) - (12)	These paragraphs are not of relevance to the submission phase of the NP.
	Section 38B1(a) The Neighbourhood Development Plan "Must specify the period for which it is to have effect."	The plan period of the ANP is from 2016 to 2036.
	Section 38B1(b) A Neighbourhood Development Plan "may not include provision about development that is excluded development."	The ANP does not contain policies relating to excluded development as defined in Section 61K of the Planning and Compulsory Purchase Act 2004
	Section 38B1(c) A Neighbourhood Development Plan may not relate to more than one neighbourhood area	The ANP does not relate to more than one neighbourhood area. It solely relates to the Neighbourhood Plan Area as designated by Babergh District Council on 29 June 2018.
	Section 38B(2) Only one Neighbourhood Development Plan may be made for each neighbourhood area.	There are currently no other NP's in place in this neighbourhood area.
	Section 38B(3) If to any extent a policy set out in a Neighbourhood Development Plan conflicts with any other statement or information in the plan, the conflict must be resolved in favour of the policy.	There are no conflicts within the ANP

Requirement	Interpretation	NP response
	<p>Section 38B(4)(a)</p> <p>Regulations made by the Secretary of State may make provisions for “restricting the provision that may be included in Neighbourhood Development Plans about the use of land.”</p> <p>These Regulations are set out in Statutory Instrument 2012 No 637, The Neighbourhood Planning (General) Regulations 2012.</p>	<p>The Neighbourhood Planning (General) Regulations 2012 have been used to inform the process of making the ANP.</p>
	<p>Section 38B(4)(b)</p> <p>Regulations made by the Secretary of State may make provisions “requiring Neighbourhood Development Plans to include such matters as are prescribed in the Regulations.”</p>	<p>A screening process was carried out by the local planning authority to determine whether a Strategic Environment Assessment (SEA) or Habitat Regulations Assessment (HRA) would be required in support of the ANP. In both cases it was considered that the Assington Neighbourhood Plan will not have significant environmental effects and that no European sites would be affected by the policies described in the ANP.</p>
	<p>Section 38B, which include paragraphs 38B(4)(c), 5 & 6,</p>	<p>The remaining requirements of Section 38B are not of relevance to this Basic Conditions Statement</p>
<p>4B 8 (1)(d) Whether The Referendum Should Extend Beyond The NP Area</p>	<p>This requires the examiner to consider whether the area for any referendum should extend beyond the NP Area to which it relates.</p>	<p>The ANP relates solely to land that falls within the Parish of Assington.</p>
<p>4B 8 (1)(e) Other Matters 3.28.</p>	<p>This requires the examiner to consider such other matters as may be prescribed</p>	<p>There are no other prescribed matters.</p>
<p>Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018</p>	<p>These Regulations require an Appropriate Assessment of the Plan to be carried out should the SEA and HRA Screening Opinion deem it necessary.</p>	<p>The SEA and HRA Screening Opinion has concluded that an Appropriate Assessment of the Plan is not required.</p>

3. Compliance with Basic Conditions

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

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

National Policy

3.2 The Assington Neighbourhood Development Plan must have appropriate regard to national policy. The following section describes how the ANP relates to the National Planning Policy Framework (NPPF) which was originally published in 2012 amended in July 2018 and further amended in February 2019. It is the latter version of the NPPF that has been used as the basis to assess the Neighbourhood Plan in terms of its regard to national policies. The NPPF is framed around a basic premise of achieving sustainable development, comprising three main dimensions: economic, social and environmental. It requires the planning system to have regard to three overarching objectives:

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

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

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

NPPF Topic	Assington NP Objectives (as identified in Section 5 of the NP)	Assington NP Policies
Delivering a sufficient supply of homes	<p>Housing</p> <p>New development should respect the character of the village and only be brought forward where there is a demonstrable need and where there is the necessary infrastructure to properly support it.</p> <p>Priority should be given to smaller units and affordable housing.</p>	<p>Policy ASSN1 – Spatial Strategy</p> <p>Policy ASSN2 – Housing Development</p> <p>Policy ASSN3 – Site at Assington Barn</p> <p>Policy ASSN4 – Land East of St Edmund's Close</p> <p>Policy ASSN5 – Land North of Assington Barn</p> <p>Policy ASSN6 – Land Adjacent to Cornerways, The Street</p> <p>Policy ASSN7 – Land South of Maxton and Russets, The Street</p> <p>Policy ASSN8 – Land East of Meadow Way</p>
Building a strong, competitive economy	<p>Infrastructure, Business, and Services</p> <p>Development should not place any unacceptable burden on infrastructure and services and should respect the natural limitations of the rural location. Wherever possible, existing services should be maintained and improved, and commercial community assets preserved</p>	<p>Policy ASSN24 – Local Businesses</p>
Ensuring the vitality of town centres	<p>Not applicable to Assington</p>	<p>None</p>
Promoting healthy and safe communities	<p>Infrastructure, Business, and Services</p> <p>Development should not place any unacceptable burden on infrastructure and services and should respect the natural limitations of the rural location. Wherever possible, existing services should be maintained and improved, and commercial community assets preserved</p>	<p>Policy ASSN19 – Design Considerations</p> <p>Policy ASSN20 – Sustainable Construction Practices</p> <p>Policy ASSN21 – Discharge of Sewage</p> <p>Policy ASSN22 – Community Facilities</p> <p>Policy ASSN23 – Open Space, Sport and Leisure Facilities</p>
Promoting sustainable transport	<p>Transport and Travel</p> <p>The future development of the village will have regard to improving the safety of pedestrians, horse riders and cyclists, including through the use of measures to reduce vehicle speeds and volume. Wherever possible, bus services and public transport should be maintained or improved.</p>	<p>Policy ASSN19 – Design Considerations</p>
Supporting high quality communications	<p>Infrastructure, Business, and Services</p> <p>Development should not place any unacceptable burden on infrastructure and services and should respect the natural limitations of the rural location. Wherever possible, existing services should be maintained and improved, and commercial community assets preserved</p>	<p>Policy ASSN19 – Design Considerations</p>
Making effective use of land	<p>Housing</p> <p>New development should respect the character of the village and only be brought forward where there is a demonstrable need and where there is the necessary infrastructure to properly support it.</p> <p>Priority should be given to smaller units and affordable housing.</p>	<p>Policy ASSN1 – Spatial Strategy</p> <p>Policy ASSN2 – Housing Development</p> <p>Policy ASSN19 – Design Considerations</p>

NPPF Topic	Assington NP Objectives (as identified in Section 5 of the NP)	Assington NP Policies
	<p>Built Environment and Design</p> <p>Development should respect the rural character of the existing village and avoid unnecessary urbanisation.</p>	
Achieving well-designed places	<p>Built Environment and Design</p> <p>Development should respect the rural character of the existing village and avoid unnecessary urbanisation.</p>	<p>Policy ASSN11 – Measures for New Housing Development</p> <p>Policy ASSN19 – Design Considerations</p>
Protecting Green Belt land	Not applicable to Assington	None
Meeting the challenge of climate change, flooding and coastal change	<p>Infrastructure, Business, and Services</p> <p>Development should not place any unacceptable burden on infrastructure and services and should respect the natural limitations of the rural location. Wherever possible, existing services should be maintained and improved, and commercial community assets preserved</p>	Policy ASSN19 – Design Considerations
Conserving and enhancing the natural environment	<p>Natural Environment</p> <p>Villagers should be able to enjoy Assington’s natural environment and every opportunity should be taken to enhance this environment and access to it.</p>	<p>Policy ASSN1 – Spatial Strategy</p> <p>Policy ASSN12 – Area of Local Landscape Sensitivity</p> <p>Policy ASSN13 – Protected Views</p> <p>Policy ASSN14 – Dark Skies</p> <p>Policy ASSN15 – Local Green Spaces</p> <p>Policy ASSN16 – Biodiversity</p>
Conserving the historic environment	<p>Built Environment and Design</p> <p>Development should respect the rural character of the existing village and avoid unnecessary urbanisation.</p>	<p>Policy ASSN17 – Heritage Assets</p> <p>Policy ASSN18 – Assington Special Character Area</p>
Facilitating the sustainable use of minerals	Not applicable to the Neighbourhood Plan	None

How the purpose of ANP policies achieve sustainable development

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

Policy	Purpose	Outcome
ASSN1	To provide a strategy for the location of new development within the neighbourhood plan area.	Ensures that new development is located close to existing village facilities and minimises the loss of agricultural land in remote locations.
ASSN2	Identifies the amount of new housing growth that will take place in the neighbourhood area and how this growth will be delivered.	Provides certainty in terms of the amount and location of new housing in the village to ensure that the identified housing needs are met.
ASSN3	Allocates land at Assington Barn for housing development.	Contributes to meeting the housing need on a site in close proximity to services and facilities.
ASSN4	Allocates land East of St Edmund's Close for housing development.	Contributes to meeting the housing need on a site in close proximity to services and facilities.
ASSN5	Allocates land North of Assington Barn for housing development.	Contributes to meeting the housing need on a site in close proximity to services and facilities.
ASSN6	Allocates land adjacent to Cornerways, The Street for housing development.	Contributes to meeting the housing need on a site in close proximity to services and facilities.
ASSN7	Allocates land south of Maxton and Russets, The Street for housing development	Contributes to meeting the housing need on a site in close proximity to services and facilities.
ASSN8	Allocates land east of Meadow Way for housing development	Contributes to meeting the housing need on a site in close proximity to services and facilities.
ASSN9	Provides a mechanism for the delivery of affordable housing to meet local needs.	Will help people with a local connection remain in the village rather than move away to find affordable homes.
ASSN10	Provides requirements for house sizes and types.	Seeks to redress an imbalance in the size of homes in the village in order to support homes for smaller families.
ASSN11	Sets standards for the size of homes.	Ensures that new housing meets current national standards and provide for appropriate storage.
ASSN12	Designates an area of Local Landscape Sensitivity	Contributes to protecting and enhancing the natural environment
ASSN13	Identifies important views within the Plan Area that should be protected.	Protects and enhances the character and setting of the village.
ASSN14	Reduces the potential for development to increase light pollution.	Limits the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.
ASSN15	Designates spaces that meet the NPPF Local Green Space criteria.	Protects spaces that have an identifiable local importance to the village.
ASSN16	Provides criteria for the assessment of the potential impact of development on habitats and natural features.	Contributes to protecting and enhancing the natural environment, including helping to improve biodiversity.
ASSN17	Enables the preservation and enhancement of the village's heritage assets.	Provides a positive strategy for the conservation and enjoyment of the historic environment, including heritage

Policy	Purpose	Outcome
ASSN18	Designates an area of distinct local historic character as a Special Character Area	Recognises the locally important and distinct character of the historic and natural environment.
ASSN19	Provides criteria for the consideration of the impact of development proposals.	Preserves and enhances the distinctiveness, character and sense of place of Assington's built environment.
ASSN20	Promotes the incorporation within development proposals of measures that reduce energy consumption.	Supports an increase in the use of renewable and low carbon energy.
ASSN21	Protects the water quality of existing watercourses.	Ensure that new development does not result in pollution of watercourses.
ASSN22	Supports the retention and improvement of community facilities and services in the village.	Maintains existing village services and reduce the need to drive out of the village for day to day needs.
ASSN23	Supports the improvement and protection of open space, sport and recreation facilities.	Ensures that adequate and suitable sports and recreation facilities are provided in Assington.
ASSN24	Supports the retention of existing employment sites.	Ensures that a level of local employment opportunities remain, reducing the need to travel for work.

General conformity with the strategic policies contained in the development plan

- 3.7 The Assington Neighbourhood Plan (ANP) must demonstrate that it is in general conformity with the development plan for the local authority area concerned. The development plan currently in force is the Babergh Core Strategy (February 2014) and the saved policies of the Babergh Local Plan (Babergh Local Plan Alteration No.2 adopted June 2006).

Babergh District Council has announced its intention to prepare a new joint local plan with Mid Suffolk District Council to cover the two local planning authority areas. Consultation on Issues and Options to be considered in the Joint Local Plan took place between January and March 2015 and a further options consultation occurred in August 2017. In July 2019 the District Council consulted on the "Preferred Options" for the Joint Local Plan, but the Submission Version of the Joint Local Plan is unlikely to be consulted on until the Autumn of 2020 and it will not be examined or adopted before the Neighbourhood Plan is examined. The Neighbourhood Plan has had appropriate regard to the emerging Joint Local Plan but, given the early stages of preparation, there is no requirement for the ANP to be in conformity with anything published to date in relation to the Joint Local Plan.

Vision of ANP and the Babergh Core Strategy 2014

The Babergh Core Strategy 2008 Vision states that:

Babergh will continue to be an attractive, high quality place in which to live and work, and to visit. The local character and distinctiveness of South Suffolk will be further enhanced by a strong economy and healthier environment providing the framework for a well connected network of places that is made up of mixed and balanced communities.

The main elements of the ANP Vision are set out below with an indication as to how they conform with the Core Strategy Vision.

ANP Vision	Conformity with Core Strategy Vision
Remain a rural and attractive vision,	Conforms
Protected its countryside setting	Conforms
Ensuring that new development is in proportion to and respectful of the character of the village,	Conforms
Maintaining a thriving, vibrant and open community.	Conforms

Compatibility of the ANP with the Strategic Policies of the Development Plan

3.8 The Government's Planning Practice Guidance states:

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

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

3.9 A significant number of policies in the Babergh Local Plan (2006) are officially "saved" by direction of the Secretary of State in accordance with the Planning and Compulsory Purchase Act 2004. A list of saved policies is available on the Babergh DC website at <https://www.midsuffolk.gov.uk/assets/Strategic-Planning/BDC-current-policies-June-2016.pdf> In total these amount to over 90 policies. Babergh District Council has not identified which of the saved local plan policies are of a strategic nature. In the absence of this, we have assessed compatibility of ANP policies against all policies that are considered relevant to Assington. Those that are not considered relevant are listed in Appendix A of this statement.

3.10 The table below provides details of the policies in the development plan, a link to the ANP policy (where relevant) and a narrative of conformity of the ANP with the development plan.

Local Plan Strategic Policy	Neighbourhood Plan Policy	Comment
Babergh Core Strategy 2014		
CS1 Applying the Presumption in Favour of Sustainable Development in Babergh	All policies apply	All policies in the Neighbourhood Plan are positively worded to encourage sustainable development to take place in the village
CS2 Settlement Pattern Policy	ASSN1 – Spatial Strategy ASSN2 – Housing Development ASSN24 – Local Businesses	The policy identifies Assington as a Hinterland Village that will “accommodate some development to help meet the needs within them”. The Neighbourhood Plan accords with this policy.
CS3 Strategy for Growth and Development	ASSN1 – Spatial Strategy ASSN2 – Housing Development ASSN3 – Site at Assington Barn ASSN4 – Land East of St Edmund’s Close ASSN5 – Land North of Assington Barn ASSN6 – Land Adjacent to Cornerways, The Street ASSN7 – Land South of Maxton and Russets, The Street ASSN8 – Land East of Meadow Way ASSN24 – Local Businesses	The policy identifies the amount of economic and housing growth that will be planned for in Babergh, specifically the amount of housing across all hinterland villages. The Neighbourhood Plan provides a positive response to this policy.
CS11 Strategy for Development for Core and Hinterland Villages	ASSN1 – Spatial Strategy ASSN2 – Housing Development ASSN3 – Site at Assington Barn ASSN4 – Land East of St Edmund’s Close ASSN5 – Land North of Assington Barn ASSN6 – Land Adjacent to Cornerways, The Street ASSN7 – Land South of Maxton and Russets, The Street ASSN8 – Land East of Meadow Way ASSN24 – Local Businesses	The policy provides detailed guidance on the function of hinterland villages and criteria for the consideration of new development proposals. Policy ASSN1 has had particular regard to this policy in determining the location for new development in the village and ASSN2 identifies the amount of new housing and how that will be delivered during the plan period.

Local Plan Strategic Policy	Neighbourhood Plan Policy	Comment
CS12 Sustainable Design and Construction Standards	ASSN11 – Measures for New Housing Development ASSN19 - Design Considerations ASSN20 – Sustainable Construction Practices	Most of the policy relates to new homes on larger scale developments which is not applicable to Assington. However, the policy also requires non-residential development to achieve BREEAM “excellent” standard. The Neighbourhood Plan does not conflict with this policy.
CS13 Renewable / Low Carbon Energy	ASSN11 – Measures for New Housing Development ASSN19 - Design Considerations ASSN20 – Sustainable Construction Practices	The Policy encourages the use of on-site low and zero carbon technologies on new or existing buildings. The Neighbourhood Plan policies support this approach.
CS14 Green Infrastructure	ASSN15 – Local Green Spaces ASSN23 – Open Spaces, Sport and Recreation Facilities	The policy protects and enhances green infrastructure. The Neighbourhood Plan contains policies that positively protects green infrastructure and encourages more provision.
CS15 Implementing Sustainable Development in Babergh	ASSN1 – Spatial Strategy ASSN2 – Housing Development ASSN9 – Affordable Housing on Rural Exception Sites ASSN10 – Housing Mix ASSN11 – Measures for New Housing Development ASSN12 – Area of Local Landscape Sensitivity ASSN13 – Protected Views ASSN15 – Local Green Spaces ASSN17 – Heritage Assets ASSN18 – Assington Special Character Area ASSN19 – Design Considerations ASSN20 – Sustainable Construction Practices ASSN21 – Discharge of Sewage ASSN22 – Community Facilities ASSN23 – Open Space, Sport and Recreation Leisure Facilities ASSN24 – Local Businesses	The Core Strategy policy sets out criteria for the principles of sustainable development by which all proposals will be assessed. The Neighbourhood Plan contains a number of policies that will specifically contribute to achieving this policy.
CS16 Town, Village and Local Centres	ASSN22 – Community Facilities	The Core Strategy policy provides for new retail, leisure, tourism, cultural and office development at an appropriate scale in village centres. While Assington does not have an identifiable village centre,

Local Plan Strategic Policy	Neighbourhood Plan Policy	Comment
		the Neighbourhood Plan does seek to protect and enhance existing facilities.
CS17 The Rural Economy	ASSN24 – Local Businesses	The policy supports a range of economic initiatives in the rural area. The Neighbourhood Plan policies support this approach by identifying local employment sites and supporting improvements to communications technology.
CS18 Mix and Types of Dwellings	ASSN10 – Housing Mix ASSN11 – Measures for New Housing Development	The Core Strategy policy states that the mix, type and size of the housing development will be expected to reflect established need. The Neighbourhood Plan has identified specific needs locally and reflects this in Policy ASSN10.
CS19 Affordable Homes	No specific policies apply	The Core Strategy policy sets requirement for the provision of 35% affordable housing on development sites. The national guidance subsequently introduces a threshold of developments of 10 homes, below which affordable housing should not be sought. The Neighbourhood Plan does not conflict with the policy or the national guidance.
CS20 Rural Exception Sites	ASSN9 – Affordable Housing on Rural Exception Sites	The Core Strategy policy enables the provision of affordable housing adjacent or well related to development boundaries in hinterland villages. The Neighbourhood Plan supports this policy but adds criteria that are specific to Assington, including demonstrating a local connection.
CS21 Infrastructure Provision	ASSN19 – Design Considerations ASSN21 – Discharge of Sewage ASSN22 – Community Facilities ASSN23 – Open Space, Sport and Recreation Leisure Facilities	The policy seeks to protect, safeguard and enhance existing services, facilities and amenities that are important to the sustainability of local communities. The Neighbourhood Plan identifies specific infrastructure in the village that should be protected or enhanced.
CS22 Monitoring	No specific policies apply	The Neighbourhood Plan does not conflict with the Core Strategy in respect of monitoring.

Local Plan Strategic Policy	Neighbourhood Plan Policy	Comment
Babergh Local Plan (2006) Saved Policies		
EN22 Light Pollution - Outdoor Lighting	ASSN14 – Dark Skies	The policy seeks to minimise the provision of outside lighting and any glare or spillage to a minimum. The Neighbourhood Plan does not conflict with this policy.
EN26 Telecommunications	ASSN19 – Design Considerations	The policy sets out criteria for the consideration of proposals for new telecommunications equipment. The Neighbourhood Plan does not conflict with this policy.
HS05 Replacement Dwellings	ASSN1 – Spatial Strategy ASSN2 – Housing Development	The policy provides criteria by which proposals for the replacement of dwellings in the countryside will be considered. The Neighbourhood Plan does not conflict with this policy.
HS28 Infilling	ASSN1 – Spatial Strategy ASSN2 – Housing Development ASSN19 – Design Considerations	The policy states in which circumstances development on infill plots will not be permitted. The Neighbourhood Plan does not conflict with this policy.
HS31 Public Open Space (Sites of 1.5 ha and above)	ASSN23 – Open Space, Sport and Recreation Leisure Facilities	The Local Plan policy requires a proportion of larger housing sites to be public open space. The Neighbourhood Plan conforms with this policy.
HS32 Public Open Space (New dwellings on sites up to 1.5ha)	ASSN19 – Design Considerations	The policy requires proposals for all new residential development, ranging from a single dwelling up to the development of a 1.5 hectares site, to provide open space and play equipment in proportion to the number of dwellings to be built. The Neighbourhood Plan does not conflict with this policy.
HS33 Extensions to Existing Dwellings	ASSN19 – Design Considerations	The policy provides criteria by which proposals for house extensions will be considered. The Neighbourhood Plan does not conflict with this policy.
HS35 Residential Annexes	ASSN19 – Design Considerations	The policy provides criteria by which proposals for self-contained annexes will be considered. The Neighbourhood Plan does not conflict with this policy.

Local Plan Strategic Policy	Neighbourhood Plan Policy	Comment
HS39 Special Needs Housing	No specific policies apply	The policy states that proposals for nursing, residential care, rest homes and sheltered housing and extensions to such homes should be provided in towns or defined sustainable villages. Assington is not defined as a sustainable village. The Neighbourhood Plan does not conflict with this policy.
HS40 Special Needs Housing: Conversions/Change of Use	No specific policies apply	The policy states that proposals for nursing, residential care, rest homes and sheltered housing and extensions to such homes should be provided in towns or defined sustainable villages. Assington is not defined as a sustainable village. The Neighbourhood Plan does not conflict with this policy.
EM02 General Employment Areas – Existing and New Allocations	ASSN24 – Local Businesses	The policy states that proposals for employment related development should be able to demonstrate a positive effect on town (or village) centre vitality and viability will be permitted. Policy ASSN24 does not conflict with this policy.
EM19 High Technology Employment Provision	No specific policies apply	The policy makes provision for how proposals for high technology employment provision will be considered. The Neighbourhood Plan does not conflict with this policy.
EM20 Expansion/Extension of Existing Employment Uses	ASSN24 – Local Businesses	The policy provides for the expansion of existing employment uses subject to certain provisions. Policy ASSN24 does not conflict with this policy.
EM24 Retention of Existing Employment Sites	ASSN24 – Local Businesses	The policy sets out criteria by which the redevelopment of existing or vacant employment land will be considered. Policy ASSN24 provides an up-to-date and site-specific application of this dated policy.
SP04 Shopping in Local Centres and Villages	ASSN22 – Community Facilities	The policy seeks the retention of shopping in villages. Policy ASSN16 provides a locally specific policy that does not conflict with the dated saved policy.
SP05 Farm Shops	No specific policies apply	The policy provides criteria for the consideration of proposals for farm shops. The Neighbourhood Plan does not conflict with this policy.

Local Plan Strategic Policy	Neighbourhood Plan Policy	Comment
CR02 AONB Landscape	ASSN1 – Spatial Strategy ASSN13 – Protected Views ASSN16 - Biodiversity	
CR04 Special Landscape Areas	ASSN18 – Assington Special Character Area	The policy sets out how proposals for development in the Special Landscape Area will be permitted. Due to the potential loss of this designation, as referred to in the subsequent Babergh Core Strategy, the Neighbourhood Plan updates this approach by reassessing the Special Landscape Area in Assington and redefining the area, as already established in the made Neighbourhood Plans across Babergh and Mid Suffolk.
CR07 Landscaping Schemes	ASSN19 – Design Considerations	The policy requires a high standard of landscaping for any development permitted in the countryside. The Neighbourhood Plan does not conflict with this policy.
CR08 Hedgerows	ASSN16 - Biodiversity	The policy seeks the protection of hedgerows in development proposals or suitable mitigation schemes. The Neighbourhood Plan does not conflict with this policy.
CR09 Agricultural Reservoirs	No specific policies apply	The policy provides criteria for the consideration of such proposals. The Neighbourhood Plan does not conflict with this policy.
CR10 Change of use from Agricultural Land	ASSN19 – Design Considerations	The policy provides criteria for the consideration of proposals for the change of use from agricultural land to domestic gardens. The Neighbourhood Plan does not conflict with this policy.
CR13 Removal of Agricultural Occupancy Restrictions	No specific policies apply	The policy provides criteria for the consideration of proposals to remove the agricultural occupancy restrictions imposed by a condition of planning permission. The Neighbourhood Plan does not conflict with this policy.
CR18 Buildings in the Countryside – Non Residential	ASSN19 – Design Considerations	The policy provides criteria for the consideration of proposals for converting barns, or other redundant or under-used buildings in the

Local Plan Strategic Policy	Neighbourhood Plan Policy	Comment
		countryside, to industrial, business, community or recreational uses. The Neighbourhood Plan does not conflict with this policy.
CR19 Buildings in the Countryside – Residential	ASSN1 – Spatial strategy ASSN2 – Housing Development ASSN19 – Design Considerations	The policy provides criteria for the consideration of proposals for the conversion of barns or other redundant or under-used buildings in the countryside into dwellings or holiday accommodation. The Neighbourhood Plan does not conflict with this policy.
CR24 Village Schools	No specific policies apply as there is no school in Assington	The policy provides support for the use of closed village schools for community uses in the first instance.
CN01 Design Standards	ASSN11 – Measures for New Housing Development ASSN19 - Design Considerations ASSN20 – Sustainable Construction Practices	The policy requires development proposals to be of appropriate scale, form, detail, design and construction materials. The Neighbourhood Plan reinforces this policy by providing a local context.
CN03 Open Space within Settlements	ASSN15 – Local Green Spaces ASSN23 – Open Space, Sport and Recreation Leisure Facilities	The policy states that development leading to the loss of important open space, visually important gaps in the street scene or recreational facilities within towns and villages will not be permitted. The Neighbourhood Plan reinforces this policy by identifying locally important open spaces.
CN04 Design & Crime Prevention	ASSN19 - Design Considerations	The policy seeks to ensure that development is designed to deter vandalism and crime. The Neighbourhood Plan does not conflict with this policy.
CN06 Listed Buildings - Alteration/Extension/Change of Use	ASSN17 – Heritage Assets	The policy provides criteria for the consideration of proposals for the alteration (including part demolition), extension or change of use of listed buildings. The Neighbourhood Plan updates this policy in the light of the NPPF.
RE06 Small and Medium - Scale Recreation	ASSN23 – Open Space, Sport and Recreation Leisure Facilities	The policy addresses proposals for small or medium-scale recreation facilities and change of use to recreation in the countryside. The Neighbourhood Plan does not conflict with this policy.

Local Plan Strategic Policy	Neighbourhood Plan Policy	Comment
RE07 Large Scale Recreation	No specific policies apply	The policy states that large scale recreational facilities will only be permitted adjacent to Sudbury, Hadleigh and Ipswich. The Neighbourhood Plan does not conflict with this policy.
TP15 Parking Standards – New Development	ASSN11 – Measures for New Housing Development ASSN19 - Design Considerations	The policy states that development proposals should provide parking in accordance with the adopted standards. The Neighbourhood Plan does not conflict with this policy.
TP16 Green Travel Plans	No specific policies apply	The policy requires proposals for development that employ more than 25 people to prepare and implement a Travel Plan. The Neighbourhood Plan does not conflict with this policy.

4. Compatibility with European Union Obligations and Human Rights

Environmental Impact and Habitat Regulations

- 4.1 Section 4B 8 (2)(f) states that a draft Neighbourhood Plan will meet the basic conditions if, the making of the Neighbourhood Plan does not breach, and is otherwise compatible with EU obligations and the making of the neighbourhood plan is not likely to have a significant effect on a European site or a European offshore marine site, either alone or in combination with other plans or projects.
- 4.2 European Union Directive 2001/42/EC requires a Strategic Environmental Assessment (SEA) to be undertaken for certain types of plan or programmes that would have a significant environmental effect. The Environmental Assessment of Plans and Programmes Regulations 2004 (the Regulations) that this is to be determined by a screening process which should use a specified set of criteria (set out in Schedule 1 of the Regulations). The results of this process must be set out in an SEA Screening Statement, which must be publicly available.
- 4.3 In accordance with Regulation 9 of the Regulations, as amended by the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018, Assington Parish Council requested Babergh District Council, as the responsible body, to consider whether an environmental assessment of the emerging Assington Neighbourhood Plan is required. The District Council subsequently made this determination following consultation with the statutory consultees. The determination is set out in reports "Assington Neighbourhood Plan Strategic Environmental Assessment Screening Determination" and the "Assington Neighbourhood Plan Habitats Regulations Screening Determination" both dated May 2020.
- 4.4 In line with Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (as amended) these documents are also submitted to Babergh District Council alongside the Neighbourhood Development Plan.

Human Rights

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

Impact of Objectives of Assington Neighbourhood Development Plan on Persons with Protected Characteristics

ANP Objectives	Outcome for persons with Protected Characteristics
<p>Housing</p> <p>New development should respect the character of the village and only be brought forward where there is a demonstrable need and where there is the necessary infrastructure to properly support it.</p> <p>Priority should be given to smaller units and affordable housing.</p>	<p>Provides for new homes to be provided in the village.</p> <p>Broadly positive impact for persons with certain protected characteristics.</p>
<p>Transport and Travel</p> <p>The future development of the village will have regard to improving the safety of pedestrians, horse riders and cyclists, including through the use of measures to reduce vehicle speeds and volume. Wherever possible, bus services and public transport should be maintained or improved.</p>	<p>Promotes facilities and transport infrastructure for non-car travel.</p> <p>Broadly positive impact for persons with certain protected characteristics.</p>
<p>Natural Environment</p> <p>Villagers should be able to enjoy Assington's natural environment and every opportunity should be taken to enhance this environment and access to it.</p>	<p>Protects and enhances the natural environment for the benefit of residents</p> <p>Broadly positive impact for persons with certain protected characteristics.</p>
<p>Built Environment and Design</p> <p>Development should respect the rural character of the existing village and avoid unnecessary urbanisation.</p>	<p>Promotes the preservation of the character of the village.</p> <p>Neutral impact for persons with protected characteristics.</p>
<p>Infrastructure, Business, and Services</p> <p>Development should not place any unacceptable burden on infrastructure and services and should respect the natural limitations of the rural location. Wherever possible, existing services should be maintained and improved, and commercial community assets preserved.</p>	<p>Ensures that capacity of infrastructure and services is maintained and enhanced.</p> <p>Broadly positive impact for persons with certain protected characteristics.</p>

Impact of Assington Neighbourhood Development Plan Policies on Persons with Protected Characteristics

Policy	Purpose	Outcome
ASSN1	To set a strategy for where new development will take place in the village.	<p>Ensures that Assington plans positively for the amount and location of new development required in the village during the plan period.</p> <p>Broadly positive impact for persons with certain protected characteristics.</p>
ASSN2	Identifies how the housing need for the plan period will be delivered.	<p>Ensures that Assington meets its identified housing need.</p> <p>Broadly positive impact for persons with certain protected characteristics.</p>
ASSN3	Housing Site Allocation.	<p>Policy makes provision for housing development during the lifetime of the Plan.</p> <p>Broadly positive impact for persons with certain protected characteristics.</p>

Policy	Purpose	Outcome
ASSN4	Housing Site Allocation.	Policy makes provision for housing development during the lifetime of the Plan. Broadly positive impact for persons with certain protected characteristics.
ASSN5	Housing Site Allocation.	Policy makes provision for housing development during the lifetime of the Plan. Broadly positive impact for persons with certain protected characteristics.
ASSN6	Housing Site Allocation.	Policy makes provision for housing development during the lifetime of the Plan. Broadly positive impact for persons with certain protected characteristics.
ASSN7	Housing Site Allocation.	Policy makes provision for housing development during the lifetime of the Plan. Broadly positive impact for persons with certain protected characteristics.
ASSN8	Housing Site Allocation.	Policy makes provision for housing development during the lifetime of the Plan. Broadly positive impact for persons with certain protected characteristics.
ASSN9	Enabling the provision of local needs affordable housing outside the settlement boundaries as an exception to policy.	Contributes to meeting identified housing need in suitable locations in close proximity to the village centre. Broadly positive impact for persons with certain protected characteristics.
ASSN10	Sets a standard for the delivery of smaller homes in larger developments.	Reduces the imbalance of larger homes in the village. Broadly positive impact for persons with certain protected characteristics.
ASSN11	Sets minimum floorspace standards for new homes.	Ensures that new homes are constructed to meet the current needs of users. Broadly positive impact for persons with certain protected characteristics.
ASSN12	Identifies an area of local landscape sensitivity.	Protects the important landscape setting of the village. Neutral impact on persons with protected characteristics.
ASSN13	Protects important views into and out of the village.	Ensures that the setting of the village in the within countryside is respected. Neutral impact on persons with protected characteristics.
ASSN14	Provides a policy for considering lighting proposals in new development	Seeks to ensure unnecessary light pollution is not created by new development. Neutral impact on persons with protected characteristics.
ASSN15	Identifies and designates Local Green Spaces.	Ensures that locally identified green spaces that meet the national criteria are protected from inappropriate development.

Policy	Purpose	Outcome
		Broadly positive impact for persons with certain protected characteristics.
ASSN16	Protects existing biodiversity assets and promotes biodiversity improvements	Ensures that natural habitats are taken into account in development. Neutral impact for persons with certain protected characteristics.
ASSN17	Sets criteria for the consideration of development that could impact on designated heritage assets.	Protects designated assets from inappropriate development. Neutral impact for persons with certain protected characteristics.
ASSN18	Identifies an area of special historic and natural characteristics.	Protects the designated area from unsympathetic development. Neutral impact for persons with certain protected characteristics.
ASSN19	Identifies criteria to be taken into account when considering development proposals	Reduces detrimental impact of development on the village and its environment and infrastructure. Broadly positive for persons with certain protected characteristics.
ASSN20	Sets criteria for the incorporation of energy saving and water saving measures in development	Ensures that development minimises its impact on natural resources. Neutral impact for persons with certain protected characteristics.
ASSN21	Prevents the discharge of sewage into watercourses	Ensures that watercourses in the village are not polluted by sewage. Neutral impact for persons with certain protected characteristics.
ASSN22	Prevents the loss of community facilities and supports the improvement of provision.	Ensures sufficient services are available in the village for the day-to-day needs of residents. Broadly positive for persons with certain protected characteristics.
ASSN23	Protects open space, sport and recreation facilities from being lost.	Ensures that Assington has open space facilities to serve the local population. Broadly positive impact for persons with certain protected characteristics.
ASSN24	Promotes the retention and intensification of employment premises.	Ensures that a range of local employment opportunities are available. Broadly positive for persons with certain protected characteristics.

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

APPENDIX A

Adopted and saved development plan policies that do not apply to Assington Neighbourhood Plan

The following policies in the Babergh Development Plan (Core Strategy and Local Plan) are not appropriate to Assington, either because they are not of a strategic nature or do not apply to the village and have therefore not been assessed in this Basic Conditions Statement.

Babergh Core Strategy 2014
CS4 Chilton Woods Strategic Land Allocation and Strategy for Sudbury / Great Cornard
CS5 Strategic Broad Location – East of Sudbury / Great Cornard
CS6 Hadleigh
CS7 Strategic Site Allocation - Babergh Ipswich Fringe
CS8 Sproughton Strategic Employment Site Allocation
CS9 Wherstead Strategic Employment Site Allocation
CS10 Brantham Regeneration Area Allocation

Babergh Local Plan (2006) Saved Policies
HS11 Head Lane, Great Cornard
HS12 William Armes Factory, Cornard Road, Sudbury
HS13 High Bank, Melford Road, Sudbury
HS14 Peoples Park, Sudbury
HS15 Grays Close, Hadleigh
HS16 Gallows Hill, Hadleigh
HS17 Carsons Drive, Great Cornard
HS18 Bures Road, Great Cornard
HS19 Rotherham Road, Bildeston
HS20 Friends Field/Tawney Rise, Bures
HS21 Goodlands Farm, Daking Avenue, Boxford
HS22 Folly Road, Great Waldingfield
HS23 Church Farm, Whatfield
HS24 Church Lane, Sproughton
HS25 Land at Crownfield Road, Glemsford
EM03 Land to south-east of Lady Lane Hadleigh
EM04 Former 'British Sugar' Sproughton
EM05 Wherstead Office Park, Wherstead
EM06 Land at Brantham Industrial Area
EM07 Land at Bures Road, Great Cornard
EM08 Warehousing & Distribution
EM09 Leisure & Sport at Employment Areas
EM11 Notley Enterprise Park, Raydon/Great Wenham
EM12 Bull Lane/Acton Place
EM13 Pond Hall Industrial Estate, Hadleigh
EM14 Tentree Road, Great Waldingfield
EM15 Off Brook Street, (E W Downs) Glemsford
EM16 London Road, Capel St Mary

EM17 Sprites Lane, Ipswich Western Fringe
EM18 Land on the east bank of the River Orwell
EM21 Redundant Airfields
EM23 Workshop Scale Employment Sites
SP03 Retail Development Outside Town Centres
CR02 AONB Landscape
CR14 Houseboats - Estuarial/or Inland Waters
CR15 Houseboats at Pin Mill
CR16 Jetties at Pin Mill
CR22 Proposed LNR Belstead
CN08 Development in or near conservation Areas
CN14 Historic Parks & Gardens – National
CN15 Historic Parks & Gardens – Local
RE04 Quay Lane, Sudbury Open Space
RE05 Shawlands Avenue Great Cornard
RE11 Land between A137, A14 and The Strand, Wherstead
RE13 Gt Cornard Country Park
RE14 Stour & Orwell Estuaries
RE15 Moorings and Marinas
RE16 Land-based Sailing Facilities on Estuaries
RE17 Land-based Facilities at Alton Water
RE18 Rivers Stour and Gipping
TP04 New Cycle Links
TP05 New Cycle Link – Sproughton
TP07 Expansion of Copdock Park & Ride Facility
TP08 Proposed Park and Ride – Wherstead
TP10 Sudbury Western Bypass route protection
TP13 Lorry Parking in Hadleigh
TP18 Airports
TP19 Boxford Community Car Park
SD01 Principal Shopping Area
SD02 Mixed Use Areas - Business & Service
SD03 Mixed Use Areas - Shopping and Commerce
SD04 Mixed Use Areas – Residential Development
SD05 Bus/Rail Interchange
SD06 Land around Bus Station & Borehamgate Precinct
SD07 Land to rear of Market Hill
SD08 North St/Gainsborough Rd Junction
SD10 Bus Station
SD11 Industrial Areas
SD13 Walnut Tree Hospital
SD14 Market Hill, New Service Road
SD15 Alternative Hospital Site
HD01 Shopping - Foodstore between Pound Lane and Bridge Street
HD03 Prime Shopping Area
HD05 Hadleigh Health Centre
CP01 Chilton Mixed Use Development Package
CP02 Chilton Cemetery

ASSINGTON

Neighbourhood Plan 2018 - 2036



Assington Parish Council