

# Boxford Neighbourhood Plan Basic Conditions Statement

To accompany the Boxford Neighbourhood Plan  
submission version, for examination

**January 2022**

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# 1. Introduction

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- 1.1 When submitting a Neighbourhood Plan to the Local Authority (in this case Babergh District Council), it is a requirement that the Plan be accompanied by a number of supporting documents. One of these is commonly referred to as the 'Basic Conditions Statement.' Only a Neighbourhood Plan that meets each of the basic conditions can be put to referendum and if successful be used to assist in the determination of planning applications.
- 1.2 This Basic Conditions Statement is prepared for use by Babergh District Council and the Independent Planning Examiner, to assist in making this assessment about the basic conditions.

## 2. Legal Requirements

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**Legal Requirements:** The Neighbourhood Plan is compliant with The Planning and Compulsory Purchase Act 2004 38A (1) & (2) and 38B (a)-(c).

**Qualifying Body:** The Boxford Neighbourhood Development Plan being submitted by a qualifying body – Boxford Parish Council. Boxford Parish Council was confirmed as a qualifying body by Babergh District Council on 6<sup>th</sup> August 2018 when the Boxford Neighbourhood Plan Area was designated.

**A Neighbourhood Development Plan:** The Boxford Neighbourhood Development Plan is a neighbourhood development plan. It relates to planning matters (the use and development of land) and has been prepared in accordance with the statutory requirements and processes set out in the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and the Neighbourhood Planning Regulations 2012.

**The time-period covered:** The Boxford Neighbourhood Plan states the time-period for which it is to have effect (from 2021-2037) a period of 16 years.

**Excluded Development:** The Boxford Neighbourhood Development Plan policies do not relate to excluded development. The Boxford Neighbourhood Development Plan does not deal with County Matters (mineral extraction and waste development), nationally significant infrastructure or any other matters set out in Section 61K of the Town and Country Planning Act 1990.

**Area of the Neighbourhood Plan:** The Boxford Neighbourhood Development Plan relates to the Boxford Parish Council's Neighbourhood Area and to no other area. There are no other Neighbourhood Plans in place relating to that Neighbourhood Area.

## 3. Basic Conditions

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- 3.1 Paragraph 8(2) of Schedule 4B in the Town and Country Planning Act 1990 (as amended by Schedule 10 of the Localism Act 2011) sets out a series of requirements that Neighbourhood Plans must meet. These 'basic conditions' are set out below.

- 3.2 A draft Plan meets the basic conditions if –
- (a) Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan (see below).
  - (b) Having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order (applies in relation to a Listed Building only insofar as the order grants planning permission for development that affects the building or its setting (not applicable in respect of the Boxford Neighbourhood Plan)).
  - (c) Having special regard to the desirability of preserving or enhancing the character or appearance of the Conservation Area it is appropriate to make the order (applies in relation to Conservation Areas only) insofar as the order grants planning permission for development in relation to buildings or land in the area (not applicable in respect of the Boxford Neighbourhood Development Plan).
  - (d) The making of the Plan contributes to the achievement of sustainable development (see below).
  - (e) The making of the 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). (see below).
  - (f) The making of the Plan does not breach and is otherwise compatible with EU obligations (see below) and,
  - (g) Prescribed conditions are met in relation to the plan and prescribed matters have been complied with, in connection with the proposal for the plan (see below).
- 3.3 Where applicable each of these basic conditions is addressed below. For clarification it should be noted that b) and c) above are not applicable to the Boxford Neighbourhood Development Plan and refer to 'Neighbourhood Orders' only.

## **4. a) Having regard to National Policies and Advice and e) Conformity with Strategic policies in the Development Plan**

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- 4.1 The following table provides an appraisal of the extent to which the Boxford Neighbourhood Plan has regard to national policy and is in general conformity with strategic local policy.
- 4.2 The Neighbourhood Plan policies were drafted to be in conformity with the National Planning Policy Framework published in February 2019 and revised in July 2021. The table below assess the degree of regard that the Boxford Neighbourhood Development Plan policies have had to NPPF 2021 (Column B).
- 4.3 During the production of the Neighbourhood Plan, the strategic policies for the area were under-going revision. The Babergh Core Strategy was adopted in 2014. (Column C). The Core Strategy replaced a number of policies from the Babergh Local Plan (2006) but not all and therefore the Boxford Neighbourhood Plan has been assessed against the remaining Saved Policies from the previous Local Plan (Column D). The replacement of the Core Strategy is the Babergh and Mid Suffolk Joint Local Plan (BMSJLP) and the assessment against the emerging policies is in (Column E).

- 4.4 The Pre-Submission Version of the BMSJLP was published for public consultation on 12th November 2020 and submitted for Examination on the 31st March 2021. At the time of the submission of the Neighbourhood Plan, the BMSJLP was undergoing examination.
- 4.5 In summary, the appraisal demonstrates that the Boxford Neighbourhood Development Plan has had appropriate regard to and is in general conformity with, both national and strategic policy.

**Assessment of policies in the Boxford Neighbourhood Plan against National and Local strategic policies**

Column A <b>Boxford Neighbourhood Development Plan Policy</b>	Column B <b>NPPF 2021</b>	Column C <b>Babergh Core Strategy 2014 (BCS)</b>	Column D <b>Babergh Local Plan Alteration No.2 (2006) Saved Policies</b>	Column E <b>Babergh Mid Suffolk Joint Local Plan Pre- Submission Version (November 2020)</b>
<p><b>BOX1: Housing Strategy for Boxford</b></p>	<p>This policy is consistent with NPPF paragraph 29 which indicates that Neighbourhood Plans should not promote less development than that set out in the strategic policies for the area.</p> <p>The Neighbourhood Plan makes a specific allocation at Stone Street Road and includes criteria that new housing development needs to meet. The policy also allows for windfall development within the settlement boundary. The plan achieves the local housing requirement for Boxford as set out in the emerging BMSJLP of 13.</p>	<p>This policy is consistent with Core Strategy Policy CS2 Settlement Pattern and policy which identifies Boxford as a Core Village in the settlement hierarchy. Core Villages were identified to act as a focus for development within their functional cluster and, where appropriate, site allocations to meet housing and employment needs were to be made in the Site Allocations document.</p> <p>Policy CS11 Strategy for Development of Core and Hinterland Villages sets out specific criteria against which proposals for new housing development would need to score positively to be permitted. These include landscape and heritage impacts, need, physical relationship with the built-up area of the village.</p>	<p>There is no directly comparable policy from the BLP 2006.</p>	<p>This policy is consistent with Joint Local Plan Policy SP03 Settlement Hierarchy which identifies Boxford as a Core Village where development will come forward as a result of allocations in the Local Plan or the Neighbourhood Plan or as suitable windfall development</p> <p>This policy is also consistent with the housing allocation shown in the table on page 43 of the Joint Local Plan which indicates a figure of 13 dwellings for Boxford. The NDP allows for additional dwellings above this requirement in the form of a specific allocation and windfall sites within the settlement..</p>

<p><b>BOX1A: Housing Allocation for 7 dwellings and new car park at Stone Street Road</b></p>	<p>This policy is consistent with NPPF paragraph 29 which indicates that Neighbourhood Plans should not promote less development than that set out in the strategic policies for the area.</p> <p>The Neighbourhood Plan makes a specific allocation at Stone Street Road and includes criteria that new housing development needs to meet. The policy also allows for windfall development within the settlement boundary. The plan achieves the local housing requirement for Boxford as set out in the emerging BMSJLP of 13 and in addition provides a new car park adjacent to the school</p>	<p>This policy is consistent with Core Strategy Policy CS2 Settlement Pattern and policy which identifies Boxford as a Core Village in the settlement hierarchy. Core Villages were identified to act as a focus for development within their functional cluster and, where appropriate, site allocations to meet housing and employment needs were to be made in the Site Allocations document</p> <p>Policy CS11 Strategy for Development of Core and Hinterland Villages sets out specific criteria against which proposals for new housing development would need to score positively to be permitted. These include landscape and heritage impacts, need, physical relationship with the built-up area of the village.</p> <p>Policy BOX1A makes a specific allocation at Stone Street Road which sets out the site-specific criteria that would need to be satisfied for development to be acceptable here.</p>	<p>This policy is consistent with BLP Policy HS28 which sets out the circumstances in which infill development would be acceptable.</p> <p>In addition the policy also includes the proposed car park adjacent to the primary school which is consistent with Policy TP19: Boxford Community Car Park which allocates the same site for a community car park</p>	<p>This policy is consistent with Joint Local Plan Policy SP03 Settlement Hierarchy which identifies Boxford as a Core Village where development will come forward as a result of allocations in the Local Plan or the Neighbourhood Plan or as suitable windfall development</p> <p>Policy BOX1A is a site-specific allocation.</p>
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<p><b>BOX2: Housing Mix</b></p>	<p>This policy reflects NPPF para 62 which advises that planning policies should reflect the needs of 'those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes'.</p> <p>The policy makes provision for families, for older people and for those with specialist needs.</p> <p>The policy is based on the findings of the Housing Needs Assessment and from consultation carried out with local residents.</p>	<p>The policy is consistent with Core Strategy Policy CS18 which indicates that the mix and size of housing types to be provided should reflect identified local needs.</p> <p>Policy BOX2 is based on consultation carried out with local residents and on the results of the Housing Needs Assessment and specifically refers to homes at the smaller end family of housing, and affordable housing.</p>	<p>There is no directly comparable policy from the BLP 2006.</p>	<p>This policy is consistent with paragraph 06.08 of the emerging Joint Local Plan which indicates that the greatest need for housing is for 2, and 3 bedroomed accommodation. Policy BOX2 specifically refers to smaller affordable homes. The policy is also consistent with JLP Policy SP02 Affordable Housing which seeks to maximise affordable housing provision on qualifying sites.</p> <p>Policy BOX2 is based on consultation carried out with local residents and the results of the Housing Needs Assessment.</p>
<p><b>BOX3: Rural Exception Sites</b></p>	<p>This policy is consistent with paragraph 78 of the NPPF which encourages responsiveness to local circumstances and to support housing that reflects local needs including supporting opportunities to bring forward rural exceptions sites which will provide affordable housing to meet local needs.</p> <p>Policy BOX3 supports the principle of rural exception sites</p>	<p>This policy is consistent with Core Strategy Policy CS20: Rural Exception Sites which provides criteria which allow for the identification of rural exception sites which are adjacent or well related to core villages.</p> <p>Policy BOX3 allows for rural exceptions sites in suitable locations.</p>	<p>There is no directly comparable policy from the BLP 2006.</p>	<p>This policy is consistent the emerging JLP Policy LP08 Affordable, community led and rural exception Housing, which supports rural exception sites.</p>



	and sets out criteria for their identification and for governing their implementation			
<b>BOX4: Safety for Vehicles, Pedestrians and Cyclists</b>	<p>This policy is consistent with paragraph 92 (c) of the NPPF which supports healthy lifestyles through encouraging walking and cycling and paragraph 104 (c) which promotes walking and cycling as a preferred transport option.</p> <p>This policy seeks to provide an enhanced and joined up network of public footpaths, cycleways, and bridleways. It seeks to protect existing public rights of way and encourage new paths between and within new developments.</p>	<p>This policy is consistent with Policy CS15: Sustainable Development which seeks to minimise the need to travel by car using the following hierarchy: walking, cycling, public transport, commercial vehicles, and cars.</p>	<p>There is no directly comparable policy from the saved policies of the BLP 2006.</p>	<p>This policy is consistent with JLP Policy LP32: Safe, Sustainable and Active Travel, which requires all new developments to maximise uptake in sustainable transport modes, including walking and cycling.</p>
<b>BOX5: Improving Access and Connectivity</b>	<p>This policy is consistent with paragraph 92 (c) of the NPPF which supports healthy lifestyles through encouraging walking and cycling and paragraph 104 (c) which promotes walking and cycling as a preferred transport option.</p> <p>This policy seeks to provide an enhanced and joined up network of public footpaths, cycleways, and bridleways. It seeks to protect existing public rights of way and encourage new paths</p>	<p>This policy is consistent with Policy CS15: Sustainable Development which seeks to minimise the need to travel by car using the following hierarchy: walking, cycling, public transport, commercial vehicles, and cars.</p>	<p>There is no directly comparable policy from the saved policies of the BLP 2006.</p>	<p>This policy is consistent with JLP Policy LP32: Safe, Sustainable and Active Travel, which requires all new developments to maximise uptake in sustainable transport modes, including walking and cycling.</p>

	<p>between and within new developments.</p> <p>Policy BOX5 encourages greater use of public transport and encourages joined up provision between modes of transport.</p>			
<p><b>BOX6: New village car park adjacent to the school at Stone Street Road</b></p>	<p>This policy is consistent with NPPF para 93 which states ‘To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should: a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;’</p> <p>This policy is consistent with paragraph 8b of the NPPF which outlines the social objective of the NPPF and specifically highlights the need for ‘accessible services and open spaces that reflect current and future needs and supports</p>	<p>There is no specifically comparable policy contained in the Core Strategy.</p>	<p>This policy is consistent with Policy TP19: Boxford Community Car Park which allocates the same site as BOX6 for a community car park.</p>	<p>There is no specific comparable policy in the emerging JLP 2020.</p>

	<p>communities' health, social and cultural well-being'</p> <p>Policy BOX6 identifies a new village car park adjacent to the primary school. The car park will be available for use by school parents at pick up and drop off and included a bus turning circle for the school bus. It is anticipated this will relief current congestion and safety issues that are experienced at peak times. In addition the car park will be available for general public use for those visiting the village centre and its facilities without having to park on street in Swan Street or Broad Street.</p>			
<b>BOX7: THE Design of new development</b>	<p>This policy reflects NPPF paragraphs 126- 130 which set out the design criteria that development should meet for example 'visually attractive as a result of good architecture, layout and appropriate and effective landscaping'. 'sympathetic to local character and history, including the surrounding built environment and landscape setting while not preventing or discouraging appropriate innovation or change'...'create places that</p>	<p>There is no specifically comparable policy in the Core Strategy (this was to be saved for the Development Management DPD which is now superseded by the emerging JLP).</p>	<p>This policy is consistent with Saved Policy HS28 of the BLP 2006 which requires that the Planning applications for infilling or groups of dwellings will be refused where the layout provides an unreasonable standard of privacy, garden size or public open space; and the proposal is of a scale, density or form which would be out of keeping with adjacent and nearby dwellings or other buildings.</p>	<p>This policy is consistent with JLP Policy LP26 in that both seek high quality design, which is appropriate to the area.</p> <p>The Neighbourhood Plan policy is supported by the Boxford Design Guidelines and Codes document.</p>

	<p>are safe, inclusive...with a high standard of amenity...and where crime and the fear of crime do not undermine the quality of life or community cohesion or resilience.'</p> <p>The policy is supported by the Boxford Design Guidelines and Codes document.</p>		<p>The policy is supported by the Boxford Design Guidelines and Codes document.</p>	
<b>BOX8: Historic Environment and Conservation Area</b>	<p>This policy reflects paragraphs 194-197 of the NPPF which requires applicants to describe and understand the significance of any heritage assets that are likely to be affected by development proposals. The special character of heritage assets such as Conservation Areas should be preserved and enhanced by development proposals</p> <p>Policy BOX8 sets out criteria for how the significance of heritage assets including the Boxford Conservation Area can be protected and reinforced.</p>	<p>This policy is consistent with Policy CS15: Sustainable Development which requires development proposals to respect the landscape, landscape features, streetscape / townscape, heritage assets, important spaces, and historic views.</p>	<p>This Policy is consistent with BLP Policy CN08: Conservation Areas which seeks to ensure that new development in or adjacent to the Conservation Area preserves or enhances the character of the conservation area or its setting; retain all elements and components, including spaces, which contribute to the special character of the area; is of an appropriate scale, form, and detailed design to harmonise with its setting.</p>	<p>This policy is consistent with Emerging JLP Policy SP09 Enhancement and Management of the Environment which requires development to support the enhancement and management of the... historic environment and historic landscapes.</p> <p>This policy is consistent with JLP Policy LP21: The Historic Environment which seeks to protect heritage assets (including Non-designated Heritage Assets) from development that would affect their heritage value and significance.</p>
<b>BOX9: Non - designated</b>	<p>This policy reflects NPPF paragraph 203 which outlines the approach to assessing the</p>	<p>This policy is consistent with Policy CS15: Sustainable Development which requires</p>	<p>There is no directly comparable policy from the saved policies of the BLP 2006.</p>	<p>This policy is consistent with JLP Policy LP21: The Historic Environment which seeks to</p>

<p><b>heritage assets</b></p>	<p>impact of applications on non-designated heritage assets. 'In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'</p> <p>The policy identifies five Non-Designated Heritage Assets within the parish that are important to the local character of the area.</p>	<p>proposals for development to ensure adequate protection, enhancement, compensation and/or mitigation, as appropriate are given to distinctive local features which characterise the landscape and heritage assets of Babergh's built and natural environment.</p>		<p>protect heritage assets (including Non-designated Heritage Assets) from development that would affect their heritage value and significance.</p>
<p><b>BOX10: Historic Views</b></p>	<p>This policy is consistent with paragraph 207 of the NPPF which refers to elements of the Conservation Area which may or may not make a significance positive contribution to its significance.</p> <p>Policy BOX10 adds detail to Policy BOX9 and specifically identifies the historic views that are considered to contribute positively to the area's significance .</p>	<p>This policy is consistent with Policy CS15: Sustainable Development which requires development proposals to respect the landscape, landscape features, streetscape / townscape, heritage assets, important spaces, and historic views.</p>	<p>This policy is consistent with BLP Policy CN08: Conservation Areas which refers to the importance of views both into and out of the Conservation Area.</p> <p>Policy BOX10 provides detail to that policy by identifying where those views are</p>	<p>This policy is consistent with JLP Policy LP21: The Historic Environment which seeks to protect heritage assets (including Non-designated Heritage Assets) from development that would affect their heritage value and significance.</p>
<p><b>BOX11: Area of Local Landscape</b></p>	<p>This policy is consistent with paragraph 174 a) of the framework which advocates 'protecting and enhancing</p>	<p>This policy is consistent with Core Strategy Policy CS15: Sustainable development which requires development</p>	<p>This policy is consistent with Saved Policy CR04 of the BLP 2006, which indicates that development proposals in</p>	<p>This policy reflects JLP Policy LP19 which refers to the need for new development to integrate positively with the</p>

<p><b>Sensitivity (ALLS)</b></p>	<p>valued landscapes' and NPPF paragraph 174 b) which recognises the need to contribute to and enhance the intrinsic character and beauty of the countryside'.</p> <p>Policy BOX11 recognises the importance and value of the areas of the parish previously covered by the Special Landscape Area designation e.g. the River Box Valley, and identifies it as an Area of Local Landscape Sensitivity (ALLS)</p>	<p>proposals to respect the landscape, landscape features, streetscape / townscape, heritage assets, important spaces, and historic views.</p>	<p>Special Landscape Areas will only be permitted where they: maintain or enhance the special landscape qualities of the area, identified in the relevant landscape appraisal, and are designed and sited so as to harmonise with the landscape setting.</p> <p>Policy BOX11 recognises the importance and value of the areas of the parish previously covered by the Special Landscape Area designation e.g. the River Box Valley and identifies it as an Area of Local Landscape Sensitivity (ALLS).</p>	<p>existing landscape character of the area and reinforce the local distinctiveness and identity of individual settlements. Proposals must be sensitive to their landscape and visual amenity impacts (including on dark skies and tranquil areas); subject to siting, design, lighting, use of materials and colour, along with the associated mitigation measures. Proposals should also enhance and protect landscape character and values and heritage assets such as locally characteristic landscape features, for example, by use of materials which complement the local individual landscape character, archaeological and historic patterns of settlement, and land use and designations.</p>
<p><b>BOX12: Important Public Scenic Views</b></p>	<p>This policy reflects NPPF para 130 b) and c) which require planning policies to ensure that developments are 'visually attractive as a result of 'appropriate and effective landscaping'...and are sympathetic to ...the surrounding built environment and landscape setting'. In addition paragraph 174 a) of the framework which advocates</p>	<p>This policy is consistent with Core Strategy Objective 6 which seeks to protect/conservate and enhance: local character, built, natural and historic environment including archaeology, biodiversity, landscape, townscape, shape, and scale of communities; the quality and character of the countryside.</p>	<p>This policy is consistent with Saved Policy CR04 of the BLP 2006, which indicates that development proposals in Special Landscape Areas will only be permitted where they: maintain or enhance the special landscape qualities of the area, identified in the relevant landscape appraisal, and are designed and sited so as to</p>	<p>This policy reflects JLP Policy LP19 which refers to the need for new development to integrate positively with the existing landscape character of the area and reinforce the local distinctiveness and identity of individual settlements. Proposals must be sensitive to their landscape and visual amenity impacts (including on dark skies and tranquil areas); subject to</p>

	<p>'protecting and enhancing valued landscapes' and NPPF paragraph 174 b) which recognises the need to contribute to and enhance the intrinsic character and beauty of the countryside'.</p>	<p>Policy BOX12 seeks to protect the individual character and landscape setting of Boxford through the identification of important public scenic views and is consistent with this objective.</p>	<p>harmonise with the landscape setting.</p>	<p>siting, design, lighting, use of materials and colour, along with the associated mitigation measures. Proposals should also enhance and protect landscape character and values and heritage assets such as locally characteristic landscape features, for example, by use of materials which complement the local individual landscape character, archaeological and historic patterns of settlement, and land use and designations.</p>
<p><b>BOX13: Protection and enhancement of natural features</b></p>	<p>This policy is consistent with paragraph 179 which seeks to safeguard local wildlife rich habitats and wider ecological networks and promotes the conservation, restoration and enhancement of priority habitats, ecological networks, and the pursuit of measurable net gains for biodiversity.</p> <p>Policy BOX13 requires development proposals to protect and enhance existing ecological networks and wildlife corridors, retain existing features of biodiversity value, and provide a net gain in biodiversity through the creation of new habitats, the restoration</p>	<p>This policy is consistent with Core Strategy Policy CS15: Sustainable development which requires development proposals to respect the landscape, landscape features, streetscape / townscape, heritage assets, important spaces, and historic views.</p> <p>In addition Policy CS15 supports proposals that would increase the connectivity of habitats and the enhancement of biodiversity.</p>	<p>This policy is also consistent with Saved Policy CR07 which requires that new planting must link with existing features to provide wildlife 'corridors' and may also involve creating woodland in appropriate circumstances and saved Policy CRO8 which requires that development:</p> <p>hedgerows are retained in full, or suitable mitigation such as replacement planting and management programmes are proposed.</p>	<p>This policy is consistent with Emerging JLP Policy SP09 Enhancement and Management of the Environment which requires development to support the enhancement and management of the environment including environmental protection measures, such as biodiversity net gain...</p> <p>In addition, Emerging JLP Policy LP18: Biodiversity and Geodiversity which seeks to protect irreplaceable features, encourage the enhancement of ecological features and networks, and secure a net gain for biodiversity.</p>

	of existing networks and their connectivity.			
<b>BOX14: Local Green Spaces</b>	<p>This policy reflects NPPF paras 101-103 which advocates ‘The designation of land as Local Green Space through local and neighbourhood plans allows communities to identify and protect green areas of particular importance to them’.</p> <p>The 14 spaces proposed for protection have been assessed against the criteria in the NPPF and the assessments are in the Appendices.</p>	<p>Policy BOX14 identifies and protects 14 Local Green Spaces. There is no specific reference to Local Green Spaces within the adopted Core Strategy. Paragraph 3.3.4.1. of the Core Strategy which falls under the section relating to Environmental Enhancement indicates that open space/landscape schemes will be encouraged to reflect locally distinctive landscape character and opportunities to enhance these features will be promoted.</p>	<p>This policy is consistent with Saved Policy CN03 of the BLP 2006, which seeks to resist development leading to the loss of important open space, visually important gaps in the street scene or recreational facilities within towns and villages.</p>	<p>This policy reflects JLP paragraph 16.04 which refers to the designation of Local Green Space in neighbourhood Plans.</p>
<b>BOX15: Localised flooding</b>	<p>This policy is consistent with paragraph 153 of the NPPF which requires plans to take a proactive approach to mitigating and adapting to climate change.</p> <p>This policy also reflects NPPF para 159 which encourages development to be directed away from areas of flood risk and should not increase flood risk elsewhere.</p> <p>Policy BOX15 encourages development to use Sustainable Drainage Systems and requires</p>	<p>This policy is consistent with Core Strategy Policy CS15: Sustainable Development which seeks the incorporation of Sustainable Drainage Systems within new developments, requires new developments to mitigate their own flood risks and minimise surface water run-off.</p>	<p>There is no directly comparable policy from the BLP 2006.</p>	<p>This policy is consistent with JLP Policy LP29: Flood risk and vulnerability which seeks to divert development away from areas at risk of flooding and encourages development proposals to mitigate their flood risk and surface water impacts.</p>



	development to mitigate its own flooding and drainage impacts.			
<b>BOX16: Environmental design</b>	<p>This policy is consistent with paragraph 153 of the NPPF which requires plans to take a proactive approach to mitigating and adapting to climate change.</p> <p>Policy BOX16 provides encouragement for the inclusion of a range of environmental features within new proposals. The policy is supported by the Design Guidelines and Codes.</p>	<p>This policy is consistent with Core Strategy Policy CS15: Sustainable Development which seeks to address climate change through design, adaptation, mitigation and by incorporating or producing sources of renewable or low-carbon energy.</p> <p>Policy BOX16 provides encouragement for the inclusion of a range of environmental features within new proposals</p>	There is no directly comparable policy from the BLP 2006.	<p>This policy is consistent with Emerging JLP Policy SP10: Climate Change which supports proactive approaches such as sustainable construction techniques.</p> <p>In addition Emerging JLP Policy LP25: Sustainable Construction and Design encourages a range of measure to be incorporated into new development.</p>
<b>BOX17: Protection of existing village services and facilities</b>	<p>This policy is consistent with NPPF para 93 which states ‘To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should: a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;</p>	<p>This policy is consistent with Core Strategy Objective 7: Support Rural Communities, local services and facilities which seeks to ensure that key services are retained or improved and that rural services are supported in a way which matches the identified need.</p>	There is no directly comparable Saved Policy from the BLP 2006.	<p>This policy is consistent with JLP Policy LP31` which supports the provision of new community facilities and also protects existing facilities unless criteria relating to viability and alternative provision can be satisfied.</p>

	<p>Policy BOX17 seeks to retain existing community facilities is also consistent with criterion c of paragraph 93 which urges planning policies to ‘guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs’.</p>			
<p><b>BOX18: Supporting new community facilities</b></p>	<p>This policy is consistent with paragraph 8b of the NPPF which outlines the social objective of the NPPF and specifically highlights the need for ‘accessible services and open spaces that reflect current and future needs and supports communities’ health, social and cultural well-being’.</p> <p>Policy BOX18 provides support for proposals that would expand the range and improve the quality of facilities available in the parish</p>	<p>This policy is consistent with Core Strategy Policy CS15: Sustainable Development which seeks to ensure an appropriate level of services, facilities and infrastructure are available or provided and to retain, protect, or enhance local services and facilities and rural communities;</p>	<p>There is no directly comparable Saved Policy from the BLP 2006.</p>	<p>This policy is consistent with JLP Policy LP31` which supports the provision of new community facilities.</p>
<p><b>BOX19: Support for small scale extensions to existing businesses</b></p>	<p>This policy is consistent with paragraphs 84 and 85 of the NPPF which support the sustainable growth and expansion of businesses in rural areas and recognises that development should be sensitive</p>	<p>This policy is consistent with Core Strategy Policy CS17 : Rural economy which encourages and supports for rural businesses.</p>	<p>This policy is consistent with BLP Policy EM20: Expansion and Extension of existing employment uses, which allows for the expansion of existing businesses provide there is no conflict with environmental or</p>	<p>This policy is consistent with JLP Policy LP12 Employment Development which supports new business and expansion of existing businesses subject to criteria relating to amenity and safety.</p>

	<p>to its surroundings and not have an unacceptable impact upon local roads.</p> <p>Policy BOX19 supports the expansion of existing businesses and the creation of new small-scale businesses subject to criteria governing amenity, character, and traffic generation</p>		<p>residential amenity or highway safety.</p>	
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## 5. d) Achieving Sustainable Development

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- 5.1 The NPPF 2021 states that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.<sup>1</sup> The appraisal of the Boxford Neighbourhood Development Plan policies against NPPF policies presented above demonstrates how policies in the Neighbourhood Plan comply with the NPPF and therefore deliver sustainable development.
- 5.2. The NPPF states that the planning system has three overarching objectives which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives).

### **Economic, social, and environmental objectives**

- 5.3 These objectives give rise to the need for the planning system to perform a number of roles as defined by the NPPF and set out below.
- 5.4 The objectives and policies contained within the Boxford Neighbourhood Plan contribute towards each of these three objectives and cumulatively contribute to the achievement of sustainable development. How they achieve this is summarised below, Unsurprisingly, there is a degree of cross-over between policies and many contribute to more than one of the sustainable development objectives e.g. BOX7: The design of new development which contributes to both social and environmental objectives.
- 5.5 The plan has been formulated with Sustainable Development at its heart and looks forward with an eye on the legacy created for future generations. The vision itself refers to support for appropriate market and affordable housing, the importance of safe pedestrian routes, greens spaces and a high-quality built environment.

#### **VISION 2037**

*Boxford village, together with Stone Street, Calais Street and Hagmore Green will continue to be a desirable place to live, work and play. A place with appropriate market and affordable housing to meet the needs of the thriving community, with safe pedestrian routes, green spaces and a high-quality built environment which maintains and enhances the rural character of the village and its surrounding hamlets.*

- 5.6 The plan contains a set of nine objectives which are identified in order to deliver the vision. These have been refined over time through consultation. The objectives are grouped in six themes: Housing, Transport, Built & Historic Environment, Natural Environment, Community & Business.

#### **Housing**

Objective 1: To provide for housing growth of all tenures and sizes to meet the needs of the current and future generations.

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<sup>1</sup> Resolution 42/187 of the United Nations General Assembly.

### Transport

Objective 2: To support development that ensures safe vehicular and pedestrian access to the village centre

Objective 3: To enable the creation of a village car park

### Built & Historic Environment

Objective 4: To support new development that is well designed and of a high quality, that enhances the rural setting and character of the individual settlements within the Parish.

Objective 5: To conserve and enhance the character of the Conservation Area and historic assets.

### Natural Environment

Objective 6: To protect and enhance Boxford's biodiversity, important views and the scenic beauty of the wider landscape setting of the open countryside.

### Sustainability & Climate Change

Objective 7: To encourage new sustainable housing growth that is future proofed against climate change.

### Community Infrastructure

Objective 8: To maintain and enhance community cohesion and protect existing village infrastructure from unacceptable development.

### Business

Objective 9: To support existing businesses in the village and allow them to expand in a suitable way.

5.7 The objectives each support development whilst recognising the important of safeguarding and enhancing the special qualities that contribute to the specific character of Boxford.

5.8 The following table helps to further demonstrate the Plan's comprehensive contribution to sustainable development.

NPPF Sustainable Development	Contribution through Boxford Neighbourhood Plan Policies
<b>NPPF 2021</b> <b>An economic objective:</b> 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	<b>Objective 1:</b> To provide for housing growth of all tenures and sizes to meet the needs of the current and future generations  <b>Objective 9:</b> To support existing businesses in the village and allow them to expand in a suitable way.  <b>Policy BOX1: A Housing Strategy for Boxford.</b> This policy sets out the housing strategy for the parish which

<p>identifying and co-ordinating the provision of infrastructure.</p>	<p>includes a single new allocation and support for windfall and infill within settlement boundaries.</p> <p><b>Policy BOX1A: Allocation at Stone Street Road.</b> This policy sets out the detailed criteria that development of the site at Stone Street Road would need to meet.</p> <p><b>Policy BOX19: Support for small scale extensions to existing businesses.</b> This policy supports the extension of existing businesses and the development of appropriate new small-scale businesses subject to criteria governing impact on amenity and highway safety.</p>
<p><b>NPPF 2021</b>  <b>A social objective:</b> 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 well-designed, beautiful, and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being.</p>	<p><b>Objective 1:</b> To provide for housing growth of all tenures and sizes to meet the needs of the current and future generations</p> <p><b>Objective 2:</b> To support development that ensures safe vehicular and pedestrian access to the village centre</p> <p><b>Objective 3:</b> To enable the creation of a village car park</p> <p><b>Objective 4:</b> To support new development that is well designed and of a high quality, that enhances the rural setting and character of the individual settlements within the Parish</p> <p><b>Objective 8:</b> To maintain and enhance community cohesion and protect existing village infrastructure from unacceptable development</p> <p><b>Policy BOX1: A Housing Strategy for Boxford.</b> This policy supports new housing in the village and makes a specific allocation</p> <p><b>Policy BOX1A: Allocation at Stone Street Road.</b> This policy makes a specific allocation for new housing at Stone Street Road, which will deliver a new village car park adjacent to the school.</p> <p><b>Policy BOX2: Housing Mix.</b> This policy supports new housing that will meet the needs of the parish. It contains specific support for affordable housing and smaller family housing.</p> <p><b>Policy BOX3: Rural Exceptions Sites.</b> This policy allows for affordable housing to meet local needs outside of the defined settlement boundaries.</p> <p><b>Policy BOX4: Safety for vehicles, pedestrians, and cyclists.</b> This policy supports measures to reduce congestion and improve safety in the village centre</p>

	<p>including the development of a continuous footpath at The Croft connecting housing areas with the village centre.</p> <p><b>Policy BOX5: Improving access and connectivity.</b> This policy seeks to encourage a joined-up approach to public transport provision and promote sustainable modes of transport.</p> <p><b>Policy BOX6: New village car park adjacent to the primary school.</b> This policy allocated a site for a car park adjacent to the village school to help to reduce traffic issues at peak times.</p> <p><b>Policy BOX7: The design of new development.</b> This policy provides guidance on the design of new development in order to create safe, accessible, and beautiful places for people to live.</p> <p><b>Policy BOX14: Local Green Spaces.</b> This policy identifies a number of green spaces within the parish that are demonstrably special to the local community.</p> <p><b>Policy BOX15: Localised flooding.</b> This policy identifies a number of areas that are known locally to flood and seeks to ensure that new development does not exacerbate these existing problems.</p> <p><b>Policy BOX17: Protection of existing village services and facilities.</b> This policy seeks to protect the existing community facilities from development that may result in their loss or adversely affect their use.</p> <p><b>Policy BOX18: Supporting new community infrastructure.</b> This policy supports the provision of new community facilities that would meet a community need.</p> <p><b>Policy BOX19: Support for small scale extensions to existing businesses.</b> This policy supports the expansion of existing businesses and the development of new small-scale businesses subject to criteria governing amenity and highway safety.</p>
<p><b>NPPF 2021</b>  <b>An environmental role:</b> to protect and enhance our natural, built, and historic environment, including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting</p>	<p><b>Objective 4:</b> To support new development that is well designed and of a high quality, that enhances the rural setting and character of the individual settlements within the Parish.</p> <p><b>Objective 5:</b> To conserve and enhance the character of the Conservation Area and historic assets</p>

to climate change, including moving to a low carbon economy.

**Objective 6:** To protect and enhance Boxford's biodiversity, important views, and the scenic beauty of the wider landscape setting of the open countryside

**Objective 7:** To encourage new sustainable housing growth that is future proofed against climate change

**Policy BOX4: Safety for vehicles, pedestrians, and cyclists.** This policy includes support for a new safe pedestrian route between existing housing areas and the village centre.

**Policy BOX5: Improving access and connectivity.** This policy encourages the joined-up use of sustainable modes of transport.

**Policy BOX7: The design of new development**  
This policy provides detailed guidance for the design of all new development in order to create safe and attractive environments for people to live.

**Policy BOX8: Historic environment and conservation area.** This policy seeks to ensure that new development within or adjacent to the Conservation Area or a Listed Building is sensitive to the historical significance of the area.

**Policy BOX9: Non designated heritage assets.** This policy identifies a number of non-designated heritage assets that contribute to the important local character of the parish.

**Policy BOX10: Boxford Historic Views.** This policy identifies a number of historic views that make an important contribution to the character of the area.

**Policy BOX11: The River Box Area of Local Landscape Sensitivity (ALLS).** This policy recognises the important landscape character of the river valley and identifies it for special protection.

**Policy BOX12: Important Public scenic views.** This policy identifies a number of scenic views that are important to the community and make a contribution to the setting of the parish.

**Policy BOX13: Protection and enhancement of natural features.** This policy identifies a number of important natural features within the parish and encourages new development to preserve and enhance existing features, repair existing fragmented ecological networks, and provide a net gain for biodiversity.



	<p><b>Policy BOX14: Local Green Spaces.</b> This policy identifies a number of green spaces that are demonstrably important to the local community by virtue of their wildlife, recreational, community, landscape or tranquility value.</p> <p><b>Policy BOX15: Localised flooding.</b> This policy identifies a number of areas known locally to flood and seeks to prevent new development from exacerbating existing flooding or drainage problems. It encourages the use of Sustainable Urban Drainage Schemes.</p> <p><b>Policy BOX16: Environmental Design.</b> This policy encourages new development to incorporate a number of environmental measures to combat climate change and reduce carbon.</p>
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## 6. f) Compatibility with EU Obligations

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- 6.1 The statement below demonstrates how the Boxford Neighbourhood Development Plan does not breach and is compatible with EU obligations. The United Kingdom formally left the European Union on the 31<sup>st</sup> of January 2020, which was followed by an 11-month transition period that expired on 31<sup>st</sup> December 2020. Basic Condition (f) of the Neighbourhood Plan Regulations 2012 requires that the making of a Neighbourhood Plan should not breach nor be incompatible with European Obligations. These include those relating to environmental matters such as Habitats and Species.
- 6.2 Babergh District Council recommends that the Strategic Environmental Assessment (SEA) and Habitats Regulation Assessment (HRA) Screening processes be undertaken at Pre-Submission stage. The HRA Screening Assessment was carried out by Place Services and the SEA Screening Assessment was undertaken by Land Use Consultants (LUC).
- 6.3 The SEA Screening Report takes into account the latest regulations, guidance and court judgements relating to this area including CJEU People Over Wind v Coillte Teoranta C-323/17 which rules that mitigation measures cannot be taken into account when carrying out a screening assessment to decide whether a plan or project is likely to result in significant effects on a Habitats site. The HRA Screening Report therefore does not consider mitigation measures within the assessment of Likely Significant Effects resulting from the Boxford Neighbourhood Development Plan. The Screening report also considers the impact of the judgement CJEU Holohan C- 461/17, which imposes more detailed requirements in the competent authority at Appropriate Assessment Stage.
- 6.4 Babergh District Council undertook the SEA Screening Process in July 2021. The SEA screening report produced by LUC notes that:
- “the Plan allocates one site for residential development and a new car parking area that does not already have planning permission. This is in addition to already planned and potential future growth. It also notes that residential development allocated through the Plan could have a range of environmental effects both during construction and afterwards, in particular in relation to additional traffic generation and demand for water treatment and that, while the scale of the site is small, there could be cumulative effects with the other development proposed in the parish.*
- 6.5 *The proposed allocation site also lies within a Special Landscape Area [which is re-designated as an Area of Local Landscape Sensitivity in this Plan], is within the Boxford Conservation Area, and contains land within Flood Zone 3. While it is outside of the AONB, it is within close proximity of the boundary and may contribute to the setting of the AONB. While acknowledging that there are policies in the Neighbourhood Plan and in the adopted Babergh Core Strategy that may provide mitigation, and mitigation may also be provided by the policies in the emerging BMSLJP, the Screening Report concludes that given the sensitivity of the area in which the allocated site is located, it is considered that the Boxford Neighbourhood Plan has the potential to have significant environmental effects and that SEA is therefore required”.*
- 6.6 Consultation on the Screening Report was carried out with the Environment Agency (EA), Historic England (HE), and Natural England (NE). No response was received from the EA. Both HE and NE supported the conclusion that SEA is required. The Screening Direction issued by Babergh District Council in September 2021 concluded that :

*“In the light of the SEA Screening Report prepared by Land Use Consultant and the responses to this from the two statutory bodies, it is determined that the Boxford Neighbourhood Plan **does require** a Strategic Environmental Assessment in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004”*

6.7 Consultants AECOM were therefore commissioned by the Steering Group to undertake the full SEA. The report was concluded in January 2022 and assessed the policies and proposals in the plan against agreed SEA objectives. It also considered reasonable alternatives and cumulative effects. The final report contained the following recommendations:

- To ensure the policy framework provides a direct link with the community project work happening in the future, it is recommended that Policy BOX 2 is extended to include a reference to potential future sources of evidence that may need to be considered over the Plan period. Following identification of the housing needs assessment, the simple addition of “*or the most up-to-date evidence*” should suffice in this respect.
- Policy BOX 12 identifies ‘Important Public Scenic Views’ as enjoyed from publicly accessible locations. Identification of these views provide localised evidence for community assets in relation to the landscape and minor positive effects are inferred. However, it is recognised that positive effects could be enhanced should Policy BOX 12 directly state its policy intention to protect these views in the long-term.

These recommendations have been agreed by the Boxford Neighbourhood Plan Steering Group and the plan has been amended accordingly.

6.8 The Screening for Habitats Regulation Assessment was carried out at the same time . The HRA Screening Report produced on behalf of Babergh District Council by Place Services concluded that:

*“there were no impact pathways likely to result in Likely Significant Effects from the Plan alone. However, it did identify recommendations for the housing related policies in this draft Plan due to predicted impacts from the Plan in combination with other plans and projects.”*

6.9 The need for an Appropriate Assessment was therefore triggered. Place Services also undertook the Appropriate Assessment.

6.10 At Screening stage, the following Habitats Sites were listed as having the potential for Likely Significant Effects as a result of recreational disturbance from residential development in combination with other plans and projects:

- Stour and Orwell Estuaries SPA and Ramsar

In addition, the following Policies were listed as having the potential for Likely Significant Effects as a result of recreational disturbance:

- BOX 1- Housing Strategy for Boxford
- BOX 3- Rural Exception Sites

6.11 The HRA Screening Determination Notice issue by Babergh District Council in September 2021 concluded that:

*“In the light of the Screening Report prepared by Place Services it is determined that the Boxford Neighbourhood Plan is ‘screened-in’ for further assessment under the Habitats Regulations 2017 and that an Appropriate Assessment is required.*

*An **Appropriate Assessment** has been carried out and the recommendations and conclusion of that are repeated at Appendix 2”.*

- 6.12 In 2016, Natural England identified the Suffolk coast as a priority for strategic and proactive planning engagement and mitigation. This was due to the high numbers of dwellings that were likely to come forward for each Local Plan alone and also in combination within the relevant Local Plans by 2038 to meet projected housing needs. The concern was the potential recreational impacts that these new residents could have upon the Habitats sites.
- 6.13 Natural England proposed a strategic approach to LPAs and recommended identifying the scale of the disturbance and implementing measures to mitigate impacts through the preparation of a Suffolk Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS). Based on existing evidence of visitor pressures, Natural England advised that the Councils should work together to prepare the Strategy. Natural England’s advice was that the Local Plans must have a clear policy commitment to producing a Mitigation Strategy, with a clear timeframe for its completion. This should be by the time the Local Plan is adopted to ensure any developments coming forward as part of the plan have certainty that there are mitigation measures which can be implemented as soon as the Babergh and Mid Suffolk Joint Local Plan is live.
- 6.13 The Suffolk Coast RAMS partner LPAs agreed that a strategic solution to mitigate the impacts of recreational disturbance from Local Plans was a sensible approach to take the support of Natural England. As a consequence, the Suffolk Coast RAMS has been adopted by Babergh DC so this strategic approach to support the Local Plans and its implementation will deliver effective measures to avoid and mitigate for recreational disturbance from planned housing growth.
- 6.14 Natural England’s advice to the LPAs included Annex 2 relating to the need for mitigation for recreational impacts for applications for less than 50 dwellings: *Annex II – Natural England’s recommendations for smaller scale residential developments within the 13 km Suffolk Coast RAMS zone of influence (0-49 units, or equivalent, as a guide) which are not within/directly adjacent to a European designated site. Whilst the provision of well-designed open space/green infrastructure on site or contributions towards strategic green infrastructure in your district is to be welcomed for developments of this scale, we advise that consideration of ‘off-site’ measures (i.e. in and around the relevant European designated site(s)) is required as mitigation for predicted recreational disturbance impacts in these cases as a minimum. Such measures are to be delivered strategically through the Suffolk Coast RAMS to make the sites more resilient to increased recreational pressures. A proportionate financial contribution should therefore be secured from these developments in line with the Suffolk Coast RAMS.*
- 6.15 The AA therefore considered that residential development in Boxford may require mitigation to avoid adverse impacts on the integrity of the Habitats sites within scope through increased recreational pressure, when considered alone. It therefore recommended that **Policies BOX 1 and BOX 3 are amended to refer to this advice on proportionate financial contributions and greenspace for residential development of more than 50 units to avoid adverse effect on integrity on the Stour & Orwell Estuaries SPA and Ramsar site.**

- 6.16 Consultation on both the Screening Report and Appropriate Assessment was carried out with Natural England. In their response Natural England noted that: “[the] appropriate assessment concludes that your authority is able to ascertain that the plan will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the plan, Natural England advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in any associated planning permissions given.”
- 6.17 As a consequence of this outcome, the wording and supporting text of Policies **BOX1** and **BOX3** have been amended in accordance with the recommendations of the AA, in accordance with the guidance from Natural England as set out in paragraph 6.16 above.
- 6.18 In addition, the Neighbourhood Plan has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act 1998. The accompanying Consultation Statement sets out the process followed in terms of community involvement.

## 7. g) Prescribed matters

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- 7.1 An additional basic condition is prescribed under Regulation 32 of the Neighbourhood Planning (General) Regulations 2012 as follows:
- ‘The making of the Neighbourhood Development Plan is not likely to have any significant effect on a European Site (as defined in the Conservation of Habitats and Species Regulations 2010 (2)) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c) Regulations 2007 (3)), (either alone or in combination with other plans and projects)’.*
- 7.2 Natural England has been consulted on the pre-submission version of the Boxford Neighbourhood Plan and has contributed to the SEA and HRA Screening and Scoping Reports and on the conclusions of the AA. The Boxford Neighbourhood Plan policies have been amended to accommodate the recommendations of the AA and the SEA Environmental Report. The Boxford Parish Council therefore considers that the Neighbourhood Plan meets the additional prescribed basic condition.