

Prepared for Great Waldingfield Parish Council by  
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# 1 Introduction

1.1 As part of the formal submission of the Great Waldingfield Neighbourhood Plan 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 Great Waldingfield Neighbourhood Plan 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 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 this with 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 Great Waldingfield 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 NP sets out Policies that relate to the development and use of land for the Neighbourhood Area covering the Parish of Great Waldingfield, as designated by Babergh District Council on 26 July 2017. The boundary of the Neighbourhood Area is shown in the NP (Map 1).
	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 NP is from 2018 to 2037.
	Section 38B1(b) A Neighbourhood Development Plan "may not include provision about development that is excluded development."	The NP 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 NP does not relate to more than one neighbourhood area. It solely relates to the Neighbourhood Plan Area as designated by Babergh District Council on 26 July 2017.
	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 NP

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 NP.</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 Neighbourhood Plan. In both cases it was considered that the Great Waldingfield Neighbourhood Plan will not have significant environmental effects and that no European sites would be affected by the policies described in the NP.</p>
	<p>Section 38B, which include paragraphs 38B(4)(c), 5 &amp; 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 NP relates solely to land that falls within the Parish of Great Waldingfield.</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 Screening Opinion concluded that a full SEA was not required. The HRA screening concluded that no potential impacts were identified and therefore it was not necessary to proceed to the Appropriate Assessment stage.</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 Great Waldingfield Neighbourhood Plan must have appropriate regard to national policy. The following section describes how the Plan relates to the National Planning Policy Framework (NPPF) which was originally published in 2012 amended in July 2018, February 2019 with further amendments in July 2021. 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 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; and*
- c) an environmental objective – 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 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 Plan 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	Great Waldingfield NP Objectives (as identified in Section 4 of the Plan)	Great Waldingfield NP Policies
Delivering a sufficient supply of homes	H 1. New housing meets a proven need including the long-term needs of all residents.	GWD1 – Spatial Strategy GWD2 – Housing Development GWD3 – Affordable Housing on Rural exception Sites
Building a strong, competitive economy	E 1. Provide for the needs of existing businesses and encourage opportunities for home working and local employment.	GWD1 – Spatial Strategy GWD17 – Employment Sites
Ensuring the vitality of town centres	C 1. Protect and improve our present facilities and green spaces; develop new high quality accessible amenities.	GWD13 – Protecting Existing Services and Facilities
Promoting healthy and safe communities	C 1. Protect and improve our present facilities and green spaces; develop new high quality accessible amenities. T 1. Any new development is well connected to the services in the village, particularly for pedestrians and cyclists. T 2. Seek ways of improving road safety and community transport services. T 3. Protect, maintain and improve the Public Rights of Way network.	GWD10 – Design Considerations GWD11 – Flooding and Sustainable Drainage GWD12 – Dark skies GWD13 – Protecting Existing Services and Facilities GWD14 – Open Space, Sport and Recreation Facilities GWD15 – Local Green Spaces GWD16 – Public Rights of Way
Promoting sustainable transport	T 1. Any new development is well connected to the services in the village, particularly for pedestrians and cyclists. T 2. Seek ways of improving road safety and community transport services. T 3. Protect, maintain and improve the Public Rights of Way network.	GWD10 – Design Considerations GWD16 – Public Rights of Way
Supporting high quality communications	C 1. Protect and improve our present facilities and green spaces; develop new high quality accessible amenities. T 1. Any new development is well connected to the services in the village, particularly for pedestrians and cyclists.	GWD10 – Design Considerations GWD16 – Public Rights of Way
Making effective use of land	NE 1. Maintain the village's rural setting by protecting the separation between Great Waldingfield village and the adjacent settlements D 2. Development is laid out in a way that is in keeping with Great Waldingfield's rural setting and of a scale that reinforces local character.	GWD1 – Spatial Strategy GWD2 – Housing Development GWD4 - Protection of Landscape Setting of Great Waldingfield GWD6 - Settlement Gaps
Achieving well-designed places	D 1. New development is of a high-quality design that incorporates energy saving and eco-friendly measures.	GWD10 – Design Considerations GWD11 – Flooding and Sustainable Drainage GWD14 - Open Space, Sport and Recreation Facilities



NPPF Topic	Great Waldingfield NP Objectives (as identified in Section 4 of the Plan)	Great Waldingfield NP Policies
	<p>D 2. Development is laid out in a way that is in keeping with Great Waldingfield's rural setting and of a scale that reinforces local character.</p> <p>D 3. Any development maximises its energy efficiency and the potential for Great Waldingfield to become more energy resilient.</p> <p>T 1. Any new development is well connected to the services in the village, particularly for pedestrians and cyclists.</p>	
Protecting Green Belt land	Not applicable to Great Waldingfield	None
Meeting the challenge of climate change, flooding and coastal change	<p>D 1. New development is of a high-quality design that incorporates energy saving and eco-friendly measures.</p> <p>D 3. Any development maximises its energy efficiency and the potential for Great Waldingfield to become more energy resilient.</p>	<p>GWD10 – Design Considerations</p> <p>GWD11 – Flooding and Sustainable Drainage</p>
Conserving and enhancing the natural environment	<p>NE 1. Maintain the village's rural setting by protecting the separation between Great Waldingfield village and the adjacent settlements.</p> <p>NE 2. Protect the biodiversity of our area, our valued woodland, biodiverse corridors and green spaces as well as our important views and links to the wider countryside.</p>	<p>GWD4 - Protection of Landscape Setting of Great Waldingfield</p> <p>GWD5 - Protection of Important Views</p> <p>GWD6 - Settlement Gaps</p> <p>GWD7 - Biodiversity</p>
Conserving the historic environment	<p>HE 1. Conserve and enhance the heritage assets of the parish.</p> <p>HE 2. Protect and improve the features which contribute to the historic character of the parish.</p>	<p>GWD8 - Heritage Assets</p> <p>GWD9 - Buildings of Local Significance</p>
Facilitating the sustainable use of minerals	Not applicable to the Neighbourhood Plan	None

## How the purpose of the Neighbourhood Plan policies achieve sustainable development

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

Policy	Purpose	Outcome
GWD 1	Provides a strategy for the location of new development within the neighbourhood plan area.	Ensures that new development meets the needs of the Parish and is located with the defined settlement boundary or within the identified strategic employment site.
GWD 2	Provides a general presumption in favour of housing development within the Settlement Boundary	Ensures the ability to provide additional housing in accordance with the local plan settlement hierarchy
GWD 3	To enable the provision of affordable housing to meet local needs	Provides a mechanism, to meet locally identified housing need
GWD 4	Identifies and protects the distinct landscape characteristics of the parish	Ensures that development protects and enhances the natural environment
GWD 5	Identifies important views within the Plan Area that should be protected.	Contributes to protecting and enhancing the natural environment, and to maintaining the landscape character of the settlement.
GWD 6	Maintains the distinct characteristics of the separate settlements within the Plan Area	Ensures protection of the landscape and natural resources.
GWD 7	Provides details of how to achieve biodiversity enhancement and for the assessment of the potential impact of development on habitats.	Protection of habitats and wildlife corridors and achievement of biodiversity net gain.
GWD 8	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
GWD 9	Designates buildings and features of Local Heritage Significance	Preserves and enhances the distinctiveness, character and sense of place of the village's built environment.
GWD 10	Provides detail design considerations to be applied to all new development proposals.	Ensures new development regardless of its scale and location is designed in an appropriate way to positively contribute to the character of the area, in terms of creating a high quality, safe and sustainable environment.
GWD 11	To reduce the impact of surface water and fluvial flooding in the area.	Ensures development proposals incorporate appropriate sustainable drainage mechanisms.
GWD 12	To restrict provision of external lighting systems.	To ensure only essential external lighting is provided in new developments to retain the rural character of the village.
GWD 13	Supports the retention and improvement of community facilities and services in the village.	Maintains existing village services and reduces the need to drive out of the village for day-to-day needs.

Policy	Purpose	Outcome
GWD 14	Seeks to prevent the loss of open space, sport and recreation facilities	Contributes to the health and wellbeing of users.
GWD 15	Designates spaces that meet the NPPF Local Green Space criteria.	Protects spaces that have an identifiable local importance to the village
GWD 16	Promotes the protection and enhancement of public rights of way.	Contributes to the health and wellbeing of users.
GWD 17	Protects existing employment sites from loss to other uses	Contributes towards building a strong and competitive economy
GWD 18	Promotes appropriate development of business and employment uses	Contributes towards building a strong and competitive economy
GWD 19	Sets out how proposals for agricultural related employment development will be dealt with.	Ensures that the landscape and character of the area are protected from inappropriate development.

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

3.7 The Neighbourhood Plan 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 submitted for examination (in April 2021) a new joint local plan with Mid Suffolk District Council to cover the two local planning authority areas. Whilst the Local Plan examination hearings commenced in June 2021, the appointed Inspectors have raised a number of issues. The latest correspondence is dated 16 September 2022, refers to the need for further public consultation on the proposed modifications and that this is likely to occur in late autumn 2022, with the possibility of the need for further hearings in 2023. At the time of submitting the Neighbourhood Plan that further consultation had yet to take place and considered unlikely that the Joint Local Plan examination will have concluded before the Neighbourhood Plan is examined. With this in mind, the Basic Conditions Statement has assessed the Neighbourhood Plan against the strategic policies of the Pre-Submission Joint Local Plan as well as those of the adopted Core Strategy and saved Local Plan policies.

### Compatibility of the Neighbourhood Plan 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 the Neighbourhood Plan policies against all policies that are considered relevant to the Neighbourhood Area. 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 Neighbourhood Plan policy (where relevant) and a narrative of conformity of the Neighbourhood Plan with the development plan. The final part of the table assesses how the Neighbourhood Plan performs against the strategic policies of the Pre-Submission Joint Local Plan.

**Table 2 - Compatibility of the Plan's policies with the strategic policies of the Local Plan**

Local Plan Strategic Policy	Neighbourhood Plan Policy	Comment
<b>Babergh Core Strategy 2014</b>		
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	GWD 1 – Spatial Strategy	The policy identifies Great Waldingfield as a “Hinterland Village” which will accommodate some development to help meet the needs within them. The Neighbourhood Plan accords with this policy.
CS3 Strategy for Growth and Development	GWD 1 – Spatial Strategy GWD 2 – Housing Development GWD13 - Protecting Existing Services and Facilities GWD18 - New Businesses and Employment	The policy identifies the amount of economic and housing growth that will be planned for in Babergh. The Neighbourhood Plan provides a positive response to this policy.
CS12 Sustainable Design and Construction Standards	GWD10 - Design Considerations GWD11 - Flooding and Sustainable Drainage	Most of the policy relates to new homes on larger scale developments identified in the Core Strategy or to be allocated in such as that allocated in the Site Allocations DPD which was never produced. 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	GWD10 - Design Considerations	The policy encourages the use of on-site low and zero carbon technologies on new or existing buildings. The Neighbourhood Plan does not conflict with this policy.
CS14 Green Infrastructure	GWD4 - Protection of Landscape Setting of Great Waldingfield GWD14 - Open Space, Sport and Recreation Facilities GWD15 - Local Green Spaces	The policy protects and enhances green infrastructure. Various Neighbourhood Plan policies include reference to associated matters including wildlife corridors, SANG and the retention of open, green or landscaped areas.

Local Plan Strategic Policy	Neighbourhood Plan Policy	Comment
CS15 Implementing Sustainable Development in Babergh	All policies apply	The Core Strategy policy sets out criteria for the principles of sustainable development by which all proposals will be assessed. The Neighbourhood Plan does not conflict with this approach.
CS16 Town, Village and Local Centres	GWD13 - Protecting Existing Services and Facilities	The Core Strategy policy provides for new retail, leisure, tourism, cultural and office development at an appropriate scale in village and local centres. The Neighbourhood Plan seeks to protect and enhance existing facilities.
CS17 The Rural Economy	GWD17 - Employment Sites GWD18 - New Businesses and Employment GWD19 - Farm Diversification	The policy supports a range of economic initiatives in the rural area. The Neighbourhood Plan policies seek to maintain existing employment uses and promotes opportunities for appropriate new business uses including farm diversification.
CS18 Mix and Types of Dwellings	No specific policies apply	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 does not allocate sites for housing purposes given its designation as countryside in the settlement hierarchy, where development will only be permitted in exceptional circumstances to meet a proven need.
CS19 Affordable Homes	No specific policies apply	The Core Strategy policy sets requirement for the provision of 35% affordable housing on development sites. The Neighbourhood Plan does not allocate sites for housing purposes and it would be unlikely that sites came forward that would require affordable housing to delivered as a percentage of the overall development.
CS20 Rural Exception Sites	GWD3 - 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 does not allocate sites for housing purposes but does provide an up-to-date policy approach for the consideration of rural exception sites
CS21 Infrastructure Provision	GWD10 - Design Considerations GWD11 - Flooding and Sustainable Drainage GWD13 - Protecting Existing Services and Facilities	The policy seeks to protect, safeguard and enhance existing services, facilities and amenities that are important to the sustainability of local

Local Plan Strategic Policy	Neighbourhood Plan Policy	Comment
	GWD14 - Open Space, Sport and Recreation Facilities GWD16 - Public Rights of Way	communities. The Neighbourhood Plan supports the retention and improvement of infrastructure necessary for the village to function.
CS22 Monitoring	No specific policies apply	The Neighbourhood Plan does not conflict with the Core Strategy in respect of monitoring.
<b>Babergh Local Plan (2006) Saved Policies</b>		
EN22 Light Pollution - Outdoor Lighting	GWD12 - Dark skies	The policy seeks to minimise the provision of outside lighting and any glare or spillage to a minimum. The Neighbourhood Plan provides an up-to-date policy.
EN26 Telecommunications	GWD10 – 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	GWD 1 – Spatial Strategy GWD 2 – Housing	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	GWD 1 – Spatial Strategy GWD 2 – Housing	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)	GWD10 – Design Considerations	The Local Plan policy requires a proportion of larger housing sites to be public open space. The Neighbourhood Plan does not propose housing development on such a scale and therefore does not conflict with the Local Plan..
HS32 Public Open Space (New dwellings on sites up to 1.5ha)	GWD10 – 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.

Local Plan Strategic Policy	Neighbourhood Plan Policy	Comment
HS33 Extensions to Existing Dwellings	GWD10 – 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	GWD 1 – Spatial Strategy GWD10 – 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.
EM02 General Employment Areas – Existing and New Allocations	GWD17 - Employment Sites GWD18 - New Businesses and Employment	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. The Neighbourhood Plan does not conflict with this policy.
EM14 Tentree Road, Great Waldingfield	GWD17 - Employment Sites	The policy allocates the site for employment related uses. The Neighbourhood Plan reflects this use as an existing site.
EM19 High Technology Employment Provision	GWD17 - Employment Sites GWD18 - New Businesses and Employment	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	GWD17 - Employment Sites	The policy provides for the expansion of existing employment uses subject to certain provisions. The Neighbourhood Plan does not conflict with this policy.
EM24 Retention of Existing Employment Sites	GWD17 - Employment Sites	The policy sets out criteria by which the redevelopment of existing or vacant employment land will be considered. The Neighbourhood Plan does not conflict with this policy.
SP04 Shopping in Local Centres and Villages	GWD13 - Protecting Existing Services and Facilities	The policy seeks the retention of shopping in villages. The Neighbourhood Plan does not conflict with this policy.
CR04 Special Landscape Areas	GWD 1 – Spatial Strategy GWD4 - Protection of Landscape Setting of Great Waldingfield GWD5 - Protection of Important Views GWD6 - Settlement Gaps	The policy sets out how proposals for development in the Special Landscape Area will be considered. The Special Landscape Area designation is not being carried forward in the Joint Local Plan. The Neighbourhood Plan reflects the special qualities of the landscape of the parish and is not in conflict with this policy.



Local Plan Strategic Policy	Neighbourhood Plan Policy	Comment
CR07 Landscaping Schemes	GWD4 - Protection of Landscape Setting of Great Waldingfield GWD10 – Design Considerations GWD11 - Flooding and Sustainable Drainage	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	GWD4 - Protection of Landscape Setting of Great Waldingfield Policy GWD7 - Biodiversity	The policy seeks the protection of hedgerows in development proposals or suitable mitigation schemes. The Neighbourhood Plan does not conflict with this policy.
CR18 Buildings in the Countryside – Non Residential	GWD 1 – Spatial strategy GWD19 - Farm Diversification	The policy provides criteria for the consideration of proposals for converting barns, or other redundant or under-used buildings in the countryside, to industrial, business, community or recreational uses. The Neighbourhood Plan does not conflict with this policy.
CR19 Buildings in the Countryside – Residential	GWD1 – Spatial strategy GWD2 – Housing Development	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.
CR20 Protecting Existing Village Facilities	GWD13 - Protecting Existing Services and Facilities GWD14 - Open Space, Sport and Recreation Facilities GWD16 - Public Rights of Way	The policy seeks to protect against the loss of village facilities. The Neighbourhood Plan does not conflict with this policy.
CR24 Village Schools	GWD13 - Protecting Existing Services and Facilities GWD15 - Local Green Spaces	The policy provides support for the use of closed village schools for community uses in the first instance. The Neighbourhood Plan does not conflict with this policy.
CN01 Design Standards	GWD10 – Design Considerations GWD11 - Flooding and Sustainable Drainage	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	GWD14 - Open Space, Sport and Recreation Facilities GWD15 - Local Green Spaces	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 does not conflict with this policy.

Local Plan Strategic Policy	Neighbourhood Plan Policy	Comment
CN04 Design & Crime Prevention	GWD10 – 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	GWD8 - 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	GWD14 - Open Space, Sport and Recreation 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.
RE07 Large Scale Recreation	GWD1 – Spatial strategy	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	GWD10 – 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.
<b>Emerging Joint Local Plan Strategic Policies (November 2020)</b>		
SP01 Housing Needs	GWD1 – Spatial strategy GWD2 – Housing Development GWD3 - Affordable Housing on Rural exception Sites	The emerging Joint Local Plan identifies the minimum housing requirement for each district. The Neighbourhood Plan does not conflict with this requirement.
SP02 Affordable Housing	GWD 1 – Spatial Strategy GWD3 - Affordable Housing on Rural exception Sites	The emerging Joint Local Plan sets a requirement of 35% affordable housing on large sites. The Neighbourhood Plan does not conflict with this requirement.
SP03 Settlement Hierarchy	GWD 1 – Spatial Strategy	The emerging Joint Local Plan identifies a hierarchy of settlements across the two districts. The Neighbourhood Plan has been prepared to have regard to this Policy which identifies the main built-up area of the village as a Hinterland Village and Church and Upsher Green as Hamlets.

Local Plan Strategic Policy	Neighbourhood Plan Policy	Comment
SP04 Housing Spatial Distribution	GWD1 – Spatial strategy GWD2 – Housing Development	The emerging Joint Local Plan identifies a housing requirement of 37 for Great Waldingfield Neighbourhood Plan. That requirement has already been met through planning consents since April 2018. The Neighbourhood Plan does not seek to allocate any additional housing.
SP05 Employment Land	GWD17 - Employment Sites	The emerging Joint Local Plan identifies strategic sites for employment uses. The Neighbourhood Plan does not conflict with this requirement and does not allocate any new employment sites.
SP06 Retail and Town Centre Use	No specific policies apply	The emerging Joint Local Plan policy relates to defined town centres, which do not include Great Waldingfield.
SP07 Tourism	GWD13 - Protecting Existing Services and Facilities GWD19 - Farm Diversification	The emerging Joint Local Plan policy supports the development of appropriate tourism enterprises. The Neighbourhood Plan does not conflict with this aspiration.
SP08 Strategic Infrastructure Provision	No specific policies apply	The emerging Joint Local Plan policy identifies specific strategic infrastructure projects and also requires development to make community infrastructure levy contributions. The Neighbourhood Plan does not conflict with this requirement.
SP09 Enhancement and Management of the Environment	GWD4 - Protection of Landscape Setting of Great Waldingfield GWD5 – Protection of Important Views GWD6 - Settlement Gaps GWD7 – Biodiversity	The emerging Joint Local Plan policy supports the enhancement and management of the natural and local environment and provides for the mitigation of effects on protected habitat sites. The Neighbourhood Plan policies generally support the strategic policy and specifically sets requirements for the mitigation of impacts where applicable.
SP10 Climate Change	GWD10 - Design Considerations GWD11 - Flooding and Sustainable Drainage	The emerging Joint Local Plan policy sets requirements for the mitigation of the impacts of climate change. The policies of the Neighbourhood Plan support the intent of the Joint Local Plan.

## 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, Great Waldingfield Parish Council requested Babergh District Council, as the responsible body, to consider whether an environmental assessment of the emerging Neighbourhood Plan is required. Initial screening was undertaken on the draft Great Waldingfield NDP in mid-2022 and determination notices were issued in September 2022. The screening concluded that a Strategic Environmental Assessment (SEA) and/or a Habitats Regulation Assessment (HRA) were not required. All reports together with the responses from the statutory consultees can be viewed at <https://www.babergh.gov.uk/planning/neighbourhood-planning/neighbourhood-planning-in-babergh/great-waldingfield-neighbourhood-plan/>
- 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 Great Waldingfield 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, and to meet the needs expressed and address the issues identified. To confirm that the Neighbourhood Plan 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 Great Waldingfield 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.

**Table 3 - Impact of Objectives of Great Waldingfield Neighbourhood Development Plan on Persons with Protected Characteristics**

<b>Neighbourhood Plan Objectives</b>	<b>Outcome for persons with Protected Characteristics</b>
<p><b>Housing</b></p> <p>H 1. New housing meets a proven need including the long-term needs of all residents.</p>	<p>Provides for Great Waldingfield to evolve as a community in accordance with its size and location.</p> <p>Broadly positive impact for persons with certain protected characteristics.</p>
<p><b>Natural Environment Objectives</b></p> <p>NE 1. Maintain the village’s rural setting by protecting the separation between Great Waldingfield village and the adjacent settlements.</p> <p>NE 2. Protect the biodiversity of our area, our valued woodland, biodiverse corridors and green spaces as well as our important views and links to the wider countryside.</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><b>Historic Environment</b></p> <p>HE 1. Conserve and enhance the heritage assets of the parish.</p> <p>HE 2. Protect and improve the features which contribute to the historic character of the parish.</p>	<p>Promotes the preservation of the character and historic assets of the village.</p> <p>Neutral impact for persons with protected characteristics.</p>
<p><b>Development Design</b></p> <p>D 1. New development is of a high-quality design that incorporates energy saving and eco-friendly measures.</p> <p>D 2. Development is laid out in a way that is in keeping with Great Waldingfield’s rural setting and of a scale that reinforces local character.</p> <p>D 3. Any development maximises its energy efficiency and the potential for Great Waldingfield to become more energy resilient.</p>	<p>Promotes development that is designed in a way to minimise impact on the environment and meets the needs of the community.</p> <p>Broadly positive impact for persons with certain protected characteristics.</p>
<p><b>Village Services and Facilities</b></p> <p>C 1. Protect and improve our present facilities and green spaces; develop new high quality accessible amenities.</p>	<p>Ensures local services and facilities are retained, maintained and enhanced.</p> <p>Broadly positive impact for persons with certain protected characteristics.</p>
<p><b>Highways and Movement</b></p>	

<b>Neighbourhood Plan Objectives</b>	<b>Outcome for persons with Protected Characteristics</b>
<p>T 1. Any new development is well connected to the services in the village, particularly for pedestrians and cyclists.</p> <p>T 2. Seek ways of improving road safety and community transport services.</p> <p>T3. Protect, maintain and improve the Public Rights of Way network</p>	<p>Promotes improvement of road safety and enhancement of routes through the parish.</p> <p>Broadly positive impact for persons with certain protected characteristics.</p>
<p><b>Employment and Business</b></p> <p>E 1. Provide for the needs of existing businesses and encourage opportunities for home working and local employment.</p>	<p>Promotes the retention and improvement of employment opportunities in the parish.</p> <p>Broadly positive impact for persons with certain protected characteristics.</p>

**Table 4 - Impact of Great Waldingfield Neighbourhood Development Plan Policies on Persons with Protected Characteristics**

<b>Policy</b>	<b>Purpose</b>	<b>Outcome</b>
GWD 1	Provides a strategy for the location of new development within the neighbourhood plan area.	Ensures that the Neighbourhood Plan positively allows for new development in the village during the plan period.  Broadly positive impact for persons with certain protected characteristics.
GWD 2	Provides a general presumption in favour of housing development within the Settlement Boundary	Enables the provision of additional housing.  Broadly positive impact for persons with certain protected characteristics.
GWD 3	To enable the provision of affordable housing to meet local needs	Provision of affordable housing for those with an identified local need.  Broadly positive impact for persons with certain protected characteristics.
GWD 4	Identifies and protects the distinct landscape characteristics of the parish	Contributes to protecting and enhancing the natural environment, and to maintaining the landscape character of the settlement.  Neutral impact for persons with certain protected characteristics.
GWD 5	Identifies important views within the Plan Area that should be protected.	Contributes to maintaining the landscape character of the settlement.  Neutral impact for persons with certain protected characteristics.
GWD 6	Maintains the distinct characteristics of the separate settlements within the Plan Area	Ensures protection of the landscape and natural resources.  Neutral impact for persons with certain protected characteristics.
GWD 7	Provides details of how to achieve biodiversity enhancement and for the assessment of the potential impact of development on habitats.	Maintains and improves levels of biodiversity.  Neutral impact for persons with certain protected characteristics.
GWD 8	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.  Neutral impact for persons with certain protected characteristics.
GWD 9	Designates buildings and features of Local Heritage Significance	Preserves and enhances the distinctiveness, character and sense of place of the village's built environment.  Neutral impact for persons with certain protected characteristics.

Policy	Purpose	Outcome
GWD 10	Provides detail design considerations to be applied to all new development proposals.	<p>Ensures new development regardless of its scale and location is designed in an appropriate way to positively contribute to the character of the area, in terms of creating a high quality, safe and sustainable environment.</p> <p>Broadly positive impact for persons with certain protected characteristics.</p> <p>Ensures land and buildings are available for employment purposes.</p> <p>Broadly positive impact for persons with certain protected characteristics.</p>
GWD 11	To reduce the impact of surface water and fluvial flooding in the area.	<p>Ensures development proposals incorporate appropriate sustainable drainage mechanisms.</p> <p>Neutral impact for persons with certain protected characteristics.</p>
GWD 12	To restrict provision of external lighting systems.	<p>To ensure only essential external lighting is provided in new developments to retain the rural character of the village.</p> <p>Neutral impact for persons with certain protected characteristics.</p>
GWD 13	Supports the retention and improvement of community facilities and services in the village.	<p>Maintains existing village services and reduces the need to drive out of the village for day-to-day needs.</p> <p>Broadly positive impact for persons with certain protected characteristics.</p>
GWD 14	Seeks to prevent the loss of open space, sport and recreation facilities	<p>Ensures opportunities exist to participate in recreation.</p> <p>Broadly positive impact for persons with certain protected characteristics.</p>
GWD 15	Designates spaces that meet the NPPF Local Green Space criteria.	<p>Ensures that important open spaces are retained.</p> <p>Broadly positive impact for persons with certain protected characteristics.</p>
GWD 16	Promotes the protection and enhancement of public rights of way.	<p>Ensures that the existing rights of way network is protected and enhanced for all users.</p> <p>Broadly positive impact for persons with certain protected characteristics.</p>
GWD 17	Protects existing employment sites from loss to other uses	Ensures opportunities remain in the parish for local employment.



Policy	Purpose	Outcome
		Broadly positive impact for persons with certain protected characteristics.
GWD 18	Promotes appropriate development of business and employment uses	Promotes opportunities for additional jobs in the parish at a local scale.  Broadly positive impact for persons with certain protected characteristics.
GWD 19	Sets out how proposals for agricultural related employment development will be dealt with.	Provides opportunities for re-using redundant agricultural buildings.  Neutral impact for persons with certain protected characteristics.

Certain protected characteristics are not affected by the Neighbourhood Plan, 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 Great Waldingfield Neighbourhood Plan

The following policies in the Babergh Development Plan (Core Strategy and Local Plan) are not appropriate to Great Waldingfield, 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
CS9 Wherstead Strategic Employment Site Allocation
CS10 Brantham Regeneration Area Allocation
CS11 Strategy for Development for Core and Hinterland Villages

### 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
HS39 Special Needs Housing
HS40 Special Needs Housing : Conversions/Change of Use
EM03 Land to south-east of Lady Lane Hadleigh
EM04 Former 'British Sugar' Sproughton
EM05 Wherstead Office Park
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
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
SP05 Farm Shops
CR09 Agricultural Reservoirs
CR10 Change of Use of Agricultural Land
CR13 Removal of Agricultural Occupancy Restrictions
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
RE 18 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
TP16 Green Travel Plans
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