



Whatfield Neighbourhood Plan **Basic Conditions Statement** December 2020

To accompany Neighbourhood Plan Submission draft for Examination

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1. Introduction

- 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

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 Whatfield Neighbourhood Development Plan being submitted by a qualifying body – Whatfield Parish Council. Whatfield Parish Council was confirmed as a qualifying body by Babergh District Council on 18th July 2018 when the Whatfield Neighbourhood Plan Area was designated.

A Neighbourhood Development Plan: The Whatfield 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 Whatfield Neighbourhood Plan states the time-period for which it is to have effect (from 2018-2037) a period of 19 years

Excluded Development: The Whatfield Neighbourhood Development Plan policies do not relate to excluded development. The Whatfield 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 Whatfield Neighbourhood Development Plan relates to the Whatfield 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

- 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 Whatfield 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 Whatfield 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 Whatfield Neighbourhood Development Plan and refer to 'Neighbourhood Orders' only.

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

4.1 The following table provides an appraisal of the extent to which the Whatfield 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. The table below assess the degree of regard that the Whatfield Neighbourhood Development Plan policies have had to NPPF 2019 (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 Whatfield 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 Just prior to the submission of this Neighbourhood Development Plan, the Pre-Submission Version of the JLP was published for public consultation on 12th November 2020. The previous version of the JLP, the Preferred Options Reg18 Version was consulted on between July and September 2019. Prior to that, issues and options consultation had taken place between August 2017 and November 2017.

- 4.5 Therefore the Policies contained within the Whatfield Neighbourhood Plan have been assessed for their conformity against the existing Development Plan – the Babergh Core Strategy 2008 (Column C), the Saved Policies of the Babergh Local Plan 2nd Alteration 2006 (Column D) and the emerging Babergh Mid Suffolk Joint Local Plan, November 2020 (Column E)
- 4.6 In summary, the appraisal demonstrates that the Whatfield Neighbourhood Development Plan has had appropriate regard to and is in general conformity with, both national and strategic policy

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

Whatfield Neighbourhood Development Plan Policy (A)	NPPF 2019 (B)	Babergh Core Strategy 2014 (BCS) (C)	Babergh Local Plan Alteration No.2 (2006) Saved Policies (D)	Babergh Mid Suffolk Joint Local Plan Pre-Submission Version (November 2020) (E)
WHAT1: Landscape Setting and Natural Features	<p>This policy reflects NPPF para 127 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 170 of the framework which advocates “protecting and enhancing valued landscapes “ and NPPF paragraph 170 b) which recognises the need to contribute to and enhance the intrinsic character and beauty of the countryside”</p>	<p>This policy is consistent with Core Strategy Objective 6 which seeks to protect / conserve and enhance: local character; built, natural and historic environment including archaeology, biodiversity, landscape, townscape; shape & scale of communities; the quality and character of the countryside.</p> <p>Policy WHAT1 seeks to protect the individual character and landscape setting of Whatfield consistent with this objective.</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 harmonise with the landscape setting. The supporting text to the policy defines the valleys of the rivers Glem, Box, Brett and Chad Brook as SLA. Policy WHAT1 continues the merits of</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 siting, design, lighting, use of materials and colour, along with the associated mitigation measures. Proposals</p>

			<p>the SLA designation but defines it as an Area of Local Landscape Sensitivity. 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: hedgerows are retained in full, or suitable mitigation such as replacement planting and management programmes are proposed.</p>	<p>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>This policy is also consistent with Policy LP18 Biodiversity and Geodiversity which requires development to follow a hierarchy of seeking firstly to; enhance habitats, avoid impacts, mitigate against harmful impacts, or as a last resort compensate for losses that cannot be avoided or mitigated for.</p>
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				Development should protect designated and, where known, potentially designated sites. Development which is likely to have an adverse impact upon designated and potential designated sites, or that will result in the loss or deterioration of irreplaceable biodiversity or geological features or habitats (such as ancient woodland and veteran/ancient trees) will not be supported.
WHAT2: Protection of Existing Community Facilities & Amenities	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”	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.	There is no directly comparable Saved Policy from the BLP 2006.	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>This policy is consistent with NPPF para 92 which states “To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:</p> <p>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>The policy seeks to retain existing community facilities is also consistent with criterion c of paragraph 92 which urges planning policies to “guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s</p>			
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	ability to meet its day to day needs”.			
WHAT3: Local Green Spaces	<p>This policy reflects NPPF paras 99-101 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 spaces proposed for protection have been assessed against the criteria in the NPPF.</p>	<p>Policy WIL.3 identifies and protects two Local Green Spaces. There is no specific reference to Local Green Spaces within the adopted Core Strategy.</p> <p>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>
WHAT4: Hew Housing	<p>This policy is consistent with NPPF paragraph 29 which indicated that Neighbourhood Plans should not promote less development than that set out in the strategic policies</p>	<p>This policy is consistent with Core Strategy Policy CS2 Settlement Pattern and policy which identifies Whatfield as a hinterland village in the settlement hierarchy. The policy</p>	<p>This policy is consistent with Saved Policy HS28 of the BLP 2006, which sets out the circumstances in which proposals for infill development will be refused. The impacts on</p>	<p>This policy is consistent with Joint Local Plan Policy SP03 Settlement Hierarchy which identifies Whatfield as a Babergh Hinterland village. Hinterland</p>

	<p>for the area. The Neighbourhood Plan does not make any specific allocations but instead includes criteria that new housing development needs to meet. The policy allows for windfall development within the settlement boundary which would be over and above the existing commitment of 1 dwellings that is outlined in the emerging Joint Local Plan. The policy is also consistent with paragraph 70 which refers to windfall sites. The policy makes a small allowance for windfall sites which is consistent with past rates of windfall in the parish and therefore is realistic as required by this paragraph.</p>	<p>indicates that in the countryside, outside the ... Hinterland Villages..., development will only be permitted in exceptional circumstances subject to a proven justifiable need.</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 WHAT4 sets out the criteria for assessing new housing development proposals in Whatfield which include environmental and heritage impacts, physical relationship to the built up area of the village and</p>	<p>the environment and the character of the area, residential amenity and highway safety are identified constraints.</p>	<p>villages are expected to provide around 9% of dwellings within the Plan period (approximately 866 dwellings).</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 1 dwelling for Whatfield. The NDP allows for additional dwellings above this requirement in the form of windfall sites of individual dwellings or small groups of up to 5 houses within the settlement boundary. In addition it sets out criteria that would need to be satisfied by proposals outside of the settlement boundary.</p>
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		impact on community facilities.		
WHAT5: Housing Mix	<p>This policy reflects NPPF para 61 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 also makes provision for key workers including agricultural workers consistent with paragraph 79a of the NPPF.</p> <p>The policy is based on 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 WHAT5 is based on consultation carried out with local residents and specifically refers to homes at the smaller end family of housing, housing for key workers 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 WHAT5 specifically refers to 1-2 bedrooms and family housing for Whatfield. The policy is also consistent with JLP Policy SP02 Affordable Housing which seeks to maximise affordable housing provision on qualifying sites.</p> <p>Policy WHAT5 is also consistent with JLP Policy LP06 which allows for specific types of housing to accommodate specific needs. WHAT5 is based on consultation carried out with local residents and specifically refers to</p>

				homes at the smaller end family of housing, housing for key workers and affordable housing.
WHAT6: The Whatfield Design Guide	<p>This policy reflects NPPF para 127 which sets 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 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 contains clear criteria relating to density,</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 that 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 also consistent with Saved Policy CN01 of the BLP2006, which requires developments to be of a scale, form, detailed design and construction</p>	<p>This policy is consistent with JLP Policy LP26 in that both seek high quality design, which takes account of design elements such as scale, height, massing, layout and density together with residential amenity issues such as parking, landscaping and designing out crime.</p> <p>The policies contain clear criteria relating to density, landscaping, style, materials, layout, amenity, Secure by Design, drainage, parking and storage.</p>

	<p>scale, local character, landscaping, wildlife, layout, amenity, trees and hedgerows, Secure by Design, parking and storage</p>		<p>materials for the location. Proposals must pay particular attention to the scale, form and nature of adjacent development and the environment surrounding the site; the materials forming the external elevations and roofs of the buildings; retaining and incorporating local features, both natural and built; existing and proposed hard and soft landscaping; creating interesting and attractive public and private spaces in and around the development. In addition, the policy is consistent with Saved Policy CN04, which requires development proposals to ensure that the design and layout of buildings, highways and the spaces around them provide for public safety and deter vandalism and crime.</p>	
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			Policy WHAT6 covers similar criteria to Saved Policies HS28, CN01 and CN04.	
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5 d) Achieving Sustainable

- 5.1 The NPPF 2019 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.¹ The appraisal of the Whatfield 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 Whatfield 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. WHAT6 The Whatfield Design Guide, 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 delivering a sustainable, enduring, environmental, affordable and high quality legacy.

¹ Resolution 42/187 of the United Nations General Assembly

Vision

“The Whatfield Neighbourhood Plan will deliver a sustainable and enduring environmental, affordable and high quality, built legacy for our future generations.”

5.6 The plan contains a set of five objectives which are identified in order to deliver the vision. These have been refined over time through consultation. The objectives are grouped in two themes: Community & Amenity and Housing & the Built Environment.

Community & Amenity

Objective 1: To protect the landscape setting and rural character of the village

Community & Amenity

Objective 2: To protect Whatfield’s existing community amenities.

Housing & Built Environment

Objective 3: To plan for new housing that meets the needs of the village and is appropriate to its scale and character and preserves and enhances the historic environment.

Housing & Built Environment

Objective 4: To improve the quality of the design and construction of new development in Whatfield through the implementation of the Whatfield Design Guide.

Housing & Built Environment

Objective 5 : To ensure that construction materials are locally sourced and organic to minimise carbon footprint and to support local trades and crafts people

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 Whatfield.

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

NPPF Sustainable Development	Contribution through Whatfield Neighbourhood Plan Policies
<p>NPPF 2019</p> <p>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 co-ordinating the provision of infrastructure.</p>	<p>Objective 5 : To ensure that construction materials are locally sourced and organic to minimise carbon footprint and to support local trades and crafts people</p> <p>WHAT5: Housing Mix. This policy seeks to provide housing for key workers e.g. agricultural workers, and public/private sector employees providing an essential service, where a need is identified</p> <p>WHAT6: The Whatfield Design Guide. This policy promotes the provision of accommodation that can be easily adapted to suit homeworking.</p>
<p>NPPF 2019</p> <p>A social objective: to support strong, vibrant and healthy communities by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and</p>	<p>Objective 2: To protect Whatfield’s existing community amenities.</p> <p>Objective 3: To plan for new housing that meets the needs of the village and is appropriate to its scale and character and preserves and enhances the historic environment.</p> <p>Objective 5 : To ensure that construction materials are locally sourced and organic to minimise carbon footprint and to support local trades and crafts people.</p> <p>WHAT2: Community Facilities The policy seeks to protect existing community facilities where they are viable.</p> <p>WHAT3: Local Green Spaces This policy seeks to protect specific open spaces that are demonstrably special to the local community.</p> <p>WHAT4 – Housing Provision. This policy seeks to meet the housing needs in the parish and identifies criteria which will determine where future development will take place.</p>

	<p>WHAT5: Housing Mix. This policy supports the provision of housing and seeks to ensure that appropriate housing is provided to meet the needs of current and future generations.</p> <p>WHAT6: The Whatfield Design Guide This policy supports the health and wellbeing of the community by promoting developments that are safe, well designed, and accessible and meet the needs of the local community.</p>
<p>NPPF 2019</p> <p>An environmental role: to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.</p>	<p>Objective 1: To protect the landscape setting and rural character of the village</p> <p>Objective 4: To improve the quality of the design and construction of new development in Whatfield through the implementation of the Whatfield Design Guide</p> <p>WHAT1: Landscape Setting and Natural Features Landscape. This policy seeks to protect and enhance the landscape and natural features that are important to the character of Whatfield. It seeks to create new habitats and restore and repair fragmented habitats. This policy seeks to enhance identified settlement edges of the parish through protecting important views from inappropriate development</p> <p>WHAT3: Local Green Spaces. This policy seeks to protect specific spaces within the parish that have a community value either through their visual appearance, historic, recreational or cultural value.</p> <p>WHAT6 – Well Designed Development . This policy contributes to protecting and enhancing the built environment by promoting the creation of high quality developments, with a high standard of design, materials, and layout, creating safe environments with an emphasis on designing out of crime.</p>

6. f) Compatibility with EU Obligations

- 6.1 The statement below demonstrates how the Whatfield Neighbourhood Development Plan does not breach and is compatible with EU obligations.
- 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 LUC ; both were carried out in August 2020.
- 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 Whatfield 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 September 2020 . The SEA screening report produced by LUC notes that, although the parish contains sensitive environmental assets, it does not allocate sites for housing or other development but, instead, focuses on ensuring that development is delivered in a way that safeguards the environmental assets.. The report concluded that:
- “it is considered that the Whatfield NDP will not have significant environmental effects and that SEA is therefore not required”*
- 6.5 The report’s recommendation being that the Whatfield Neighbourhood Development Plan can be ‘screened out’ for its requirement of Strategic Environmental Assessment in line with the requirements of Directive 2001/42/EC
- 6.6 In addition, the HRA screening report produced by Place Services concluded that
- “Subject to Natural England’s review, this HRA Screening Report concludes that the Regulation 14 draft Whatfield Neighbourhood Plan is not predicted to have any Likely Significant Effect on any Habitats site, either alone or in combination with other plans and projects.*
- The content of the Whatfield Neighbourhood Plan has therefore been **screened out** for any further assessment and Babergh DC can demonstrate its compliance with the UK Habitats Regulations 2017”..*

- 6.7 In August and September 2020, both Screening Reports were the subject of consultation with the three environmental bodies – Environment Agency, Historic England and Natural England. The consultation was undertaken by Babergh District Council
- 6.8 In their formal response, Natural England confirmed that it was in agreement with the conclusions of both the SEA and HRA Screening Reports. Historic England concluded the same for the SEA report. Consequently in September 2020, Babergh issued an HRA Screening Direction in September 2020, which concluded that:
- “In the light of the Screening Report prepared by Place Services and the response from Natural England it is determined that the Whatfield Neighbourhood Plan does not require further assessment under the Habitats Regulations 2017”.*
- 6.9 The SEA Screening Direction issued by Babergh in September 2020, concluded that:
- “In the light of the SEA Screening Report prepared by Land Use Consultants and the responses to this from the two statutory bodies it is determined that the Whatfield Neighbourhood Plan does not require a Strategic Environmental Assessment in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004”*
- 6.10 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

- 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 Whatfield Neighbourhood Plan and has contributed to the SEA and HRA Screening Opinions. There are few national and international designations within close proximity to Whatfield and the Whatfield Parish Council therefore considers that the Neighbourhood Plan meets the additional prescribed basic condition.