

Necton Neighbourhood Plan Basic Conditions Statement

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Prepared for Necton Parish Council by
Places4People Planning Consultancy



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1. Introduction

- 1.1 As part of the formal submission of the Necton 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, Breckland District Council, of the Necton 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.

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

- (a) whether the draft neighbourhood development plan meets the basic conditions (see subparagraph (2)),
- (b) whether the draft neighbourhood development plan complies with the provision made by or under sections 38A and 38B of the Planning and Compulsory Purchase Act 2004,
- (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.

2.2 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.

2.3 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.

2.4 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 Necton 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 Necton, as designated by Breckland District Council on 16 March 2021. 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 2023 to 2036.
	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 Breckland District Council on 16 March 2021.
	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.

Requirement	Interpretation	NP response
	<p>Section 38B(3)</p> <p>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.</p>	<p>There are no conflicts within the NP</p>
	<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 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 Necton Neighbourhood Plan will not have significant environmental effects and that no European sites would be affected by the policies described in the NP, therefore the preparation of a Strategic Environmental Assessment or Appropriate Assessment (Habitats Regulations) is not required. The Screening Reports were published by Breckland District Council in June 2023</p>
	<p>Section 38B, which include paragraphs 38B(4)(c), 5 & 6,</p>	<p>The remaining requirements of Section 38B are not of relevance to this Basic Conditions Statement</p>
<p>4B 8 (1)(d) Whether The Referendum Should Extend Beyond The NP Area</p>	<p>This requires the examiner to consider whether the area for any referendum should extend beyond the NP Area to which it relates.</p>	<p>The NP relates solely to land that falls within the Parish of Necton.</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>

Requirement	Interpretation	NP response
Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018	These Regulations require an Appropriate Assessment of the Plan to be carried out should the SEA and HRA Screening Opinion deem it necessary.	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. Both Screening Opinions were published in June 2023

2. Compliance with Basic Conditions

2.1 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

2.2 The Necton 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 and minor amendments in September 2023. 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 built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and*
- c) an environmental objective – to 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."*

2.3 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	Necton NP Objectives (as identified in Section 4 of the Plan)	Necton NP Policies
Delivering a sufficient supply of homes	1.To ensure that the amount, size and tenure of new housing in the Parish meets locally identified needs 2 Enable opportunities for the provision of affordable housing that meets the needs of those with a connection with Necton Parish	NTN 1 – Housing Mix NTN 5 – Development Design
Building a strong, competitive economy	8. To protect and improve the range of existing community facilities and services. 9. Improve opportunities for home working	NTN 9 – Community Facilities
Ensuring the vitality of town centres	8. To protect and improve the range of existing community facilities and services.	NTN 9 – Community Facilities
Promoting healthy and safe communities	7. Minimise the impact of new development on infrastructure, services and existing residents 8. To protect and improve the range of existing community facilities and services. 10. Support and encourage safe and sustainable transport, including walking, cycling and public transport	NTN 3 – Local Green Spaces NTN 8 – Flooding and Sustainable Drainage NTN10 – Sport and Recreation Facilities NTN11- Public Rights of Way
Promoting sustainable transport	10. Support and encourage safe and sustainable transport, including walking, cycling and public transport	NTN5 – Development Design NTN11- Public Rights of Way
Supporting high quality communications	No specific objectives apply	NTN 5 – Development Design
Making effective use of land	6. Ensure that new development is designed in a way that reflects local character	NTN 5 – Development Design NTN 6- Sustainable Construction Practices

NPPF Topic	Necton NP Objectives (as identified in Section 4 of the Plan)	Necton NP Policies
Achieving well-designed places	3. Protect and enhance the rural setting of the Parish and minimise the impact of development on the natural environment 4. Maximise opportunities to improve natural habitats and biodiversity 6. Ensure that new development is designed in a way that reflects local character 10. Support and encourage safe and sustainable transport, including walking, cycling and public transport	NTN 2- Protecting Necton's Landscape Character NTN 3- Local Green Spaces NTN 5 – Development Design NTN 6- Sustainable Construction Practices NTN7 – Renewable Energy NTN10 – Sport and Recreation Facilities NTN11- Public Rights of Way
Protecting Green Belt land	Not applicable to Necton	None
Meeting the challenge of climate change, flooding and coastal change	No specific objectives apply	NTN 5 – Development Design NTN 6 - Sustainable Construction Practices NTN7 – Renewable Energy NTN 8 – Flooding and Sustainable Drainage
Conserving and enhancing the natural environment	3. Protect and enhance the rural setting of the Parish and minimise the impact of development on the natural environment 4. Maximise opportunities to improve natural habitats and biodiversity	NTN 2- Protecting Necton's Landscape Character NTN 3- Local Green Spaces
Conserving the historic environment	5. Recognise and protect the importance of historic assets and their settings 12. Minimise the impact of vehicles on the historic character of the area	NTN 4 – Local Heritage Assets NTN 5 – Development Design
Facilitating the sustainable use of minerals	Not applicable to the Neighbourhood Plan	None

How the purpose of the Neighbourhood Plan policies achieve sustainable development

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
NTN1	Sets out requirements for a mix of dwellings on sites of ten or more dwellings.	To ensure that new residential development provides the right types of housing as identified in the Necton Housing Needs Assessment.
NTN 2	Requires landscape characteristics of a site to be given due consideration when preparing development proposals and to reflect the guidance in the Necton Landscape Character Assessment 2022.	To ensure new development respects the locality and its landscape features.
NTN 3	Designates 8 Local Green Spaces.	To retain these spaces as open land to the benefit of the local area and community.
NTN 4	Identifies 17 buildings and features as local heritage assets.	To ensure that the identified locally important buildings are not only retained but also retain their important features to the benefit of the local area.
NTN 5	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.
NTN 6	Requires proposals to incorporate current best practice in energy conservation	To positively contribute to the mitigation and adaptation of climate change.
NTN7	Supports the provision of new renewable energy generation schemes	To positively contribute to the mitigation and adaptation of climate change.
NTN 8	Requires proposals to incorporate sustainable drainage systems so as not to cause or exacerbate surface water and fluvial flooding.	Ensures that proposals for new development include details for surface water drainage and sustainable drainage systems where appropriate.
NTN 9	Seeks to protect the loss of valued community facilities	To retain local facilities to avoid having to travel to access such provision.
NTN 10	Identifies two sports and recreational facilities to be protected.	Ensures local provision is retained for the health and well-being of the local community.
NTN 11	Supports improvements to the existing rights of way network	Ensures rights of way are accessible and used to the benefit of the local community

General conformity with the strategic policies contained in the development plan

- 2.4 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 Breckland Local Plan adopted on 28 November 2019. This is currently subject to a partial review with regard to Policy INF03 which committed the Council to a full review with adoption by November 2022, which has not been achieved. Initial consultation on the partial review which revises the expression of Policy INF 03 concluded in September 2022 and a Regulation 19 consultation commenced in September 2022 and concluded in November 2022. The Plan was submitted for examination on 29 November 2022, hearing sessions commenced in April 2023 and, on 29 August 2023, the Planning Inspector published her report. Subsequently, the Breckland Local Plan (as amended by the Partial Update) was adopted by Breckland Council on 21 September 2023.
- 2.5 A full review of the Local Plan is ongoing but will not be completed before this Neighbourhood Plan is examined.
- 2.6 There are also saved policies from the Core Strategy and Development Control Policies 2009 and the Thetford Area Action Plan 2012. Neither the saved policies nor Thetford Area Action plan cover any area within the Neighbourhood Plan area and are therefore not referred to in this Basic Conditions Statement.
- 2.7 Consequently this Basic Conditions Statement has assessed the Neighbourhood Plan against the strategic policies of the adopted local plan as applicable to the Neighbourhood Plan area.

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

- 2.8 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"
- 2.9 Breckland District Council has identified a number of policies which are strategic in nature, and this has been used in the following assessment. Those that are not considered relevant are listed in Appendix A of this statement.
- 2.10 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.

Local Plan Strategic Policy	Neighbourhood Plan Policy	Comment
Breckland Local Plan 2019		
GEN 01 Sustainable Development in Breckland	All policies apply	All policies in the Neighbourhood Plan are positively worded to encourage sustainable development to take place in the village
GEN 02 Promoting High Quality Design	NTN 5 – Design Design	The policy sets out a requirement for high quality design. The Neighbourhood Plan accords with this policy.
GEN 03 Settlement Hierarchy	NTN 1 – Housing Mix NTN 5 – Development Design	The policy identifies Necton as a Local Service Centre as a sustainable location for proportionate development. The Neighbourhood Plan provides a positive response to this policy.
GEN 05 Settlement Boundaries	NTN 1 – Housing Mix NTN 5 – Development Design	The policy specifies development within defined boundaries will be acceptable. The Neighbourhood Plan accords with this policy.
HOU 01 Development Requirements	NTN 1 - Housing Mix	The policy specifies the amount of new development to be provided over the plan period, acknowledging this will be delivered through development in sustainable locations such as Necton as a designated local service centre. The Neighbourhood Plan does not conflict with this policy.
HOU 2 Level and Location of Growth	NTN 1 – Housing Mix NTN 5 – Development Design	The policy specifies the quantum of development across various settlements including Necton – two sites are allocated for development under Policy Necton Housing Allocation 1 and Necton Housing Allocation 2. The Neighbourhood Plan does not conflict with this policy and acknowledges these allocations (para 5.5 Map 2)
HOU 3 Development Outside of the Boundaries of Local Service Centres	No specific policies apply.	The policy sets out the circumstances when development outside of defined boundaries would be acceptable. The Neighbourhood Plan does not conflict with this policy.
HOU 06 Principle of New Housing	NTN 1 – Housing Mix NTN 5 – Development Design	The policy specifies appropriate levels of density for new housing and makes reference to parking provision. The Neighbourhood Plan reflects these principles.

Local Plan Strategic Policy	Neighbourhood Plan Policy	Comment
HOU 07 Affordable Housing	No specific policies apply.	The policy specifies the provision of affordable housing. The Neighbourhood Plan does not conflict with this approach.
HOU 08 Provision for Travellers and Travelling Showpeople	No specific policies apply.	The policy specifies provision for pitches and plots for traveller accommodation. The Neighbourhood Plan makes no specific reference to traveller accommodations but does not conflict with this approach.
HOU 09 Specialist Housing	No specific policies apply.	The policy refers to the provision of specialist accommodation to meet the needs of an ageing population. The Neighbourhood Plan makes no specific reference to specialist accommodations but does not conflict with this approach
HOU 10 Technical Design Standards for new home	NTN 5 – Development Design NTN 6 – Sustainable Construction Practices NTN 7 – Renewable Energy NTN 8 – Flooding and Sustainable Drainage	The policy includes reference to water efficiency and internal spaces. The Neighbourhood Plan includes various policies to improve energy efficiency and use of renewables in new developments .
TR 01 Sustainable Transport Network	NTN 5 – Development Design NTN 11- Public Rights of Way	The policy promotes reducing the need to travel by car and to encourage walking and cycling. The Neighbourhood Plan Policies reflect these principles.
TR 02 Transport Requirements	NTN 5 – Development Design NTN 11- Public Rights of Way	The policy requires development to offer flexible choice of travel modes and that the impact of new development on the transport network needs to be assessed. The Neighbourhood Plan policy seeks to ensure these matters are reflected as appropriate to a defined local service centre.
ENV 01 Green Infrastructure	NTN 3 – Local Green Spaces NTN 5 – Development Design NTN 8 – Flooding and Sustainable Drainage NTN 9 – Community Facilities NTN 10 – Sports and Recreation Facilities NTN 11- Public Rights of Way	The policy refers to the need to exploit opportunities to incorporate green infrastructure through the design and layout and connectivity of new developments. The Neighbourhood Plan includes various policies which make a positive contribution to green infrastructure provision.
ENV 02 Biodiversity protection and enhancement	NTN 11 – Public Rights of Way No specific policies apply	The policy requires the highest level of protection to designated sites. The Neighbourhood Plan does not conflict with this approach and refers to enhancing biodiversity in the context of improvements to the rights of way network.

Local Plan Strategic Policy	Neighbourhood Plan Policy	Comment
ENV04 Open Space, Sport and Recreation	NTN 3 – Local Green Spaces NTN 5 – Development Design NTN 10 – Sports and Recreation Facilities	The policy specifies the amount of open space to be provided with new development and includes reference to local green space. The Neighbourhood Plan identifies 8 local green spaces and includes other references to open space and recreational facilities.
ENV 05 Protection and Enhancement of the Landscape	NTN 2- Protecting Necton’s Landscape Character	The policy requires development to have regard to landscape character assessments and the landscape. The Neighbourhood Plan does not conflict with this approach and reflects the guidance in the Necton Landscape Assessment 2022.
ENV 07 Designated Heritage Assets	NTN 4 – Local Heritage Assets	The policy requires development to have regard to heritage assets. The Neighbourhood Plan identifies 17 local heritage assets.
ENV 08 Non- Designated Heritage Assets	NTN 4 – Local Heritage Assets	The policy requires development to have regard to non-designated heritage assets. The Neighbourhood Plan identifies 17 local heritage assets.
ENV 09 Flood Risk and Surface Water Drainage	NTN 6 – Sustainable Construction Practices NTN 8 – Flooding and Sustainable Drainage	The policy sets out the requirements to minimise the risk of flooding and the incorporation of surface water mitigation. The Neighbourhood Plan does not conflict with this approach.
ENV 10 Renewable Energy Development	NTN 7 – Renewable Energy	The policy sets out where renewable energy proposals would be acceptable. The Neighbourhood Plan does not conflict with this approach.
EC 04 Development Outside General Employment Areas	No specific policies apply	The policy sets out where employment would be suitable outside of the designated general employment areas including within the rural area. There are no designated employment areas in Necton, the neighbourhood plan does not conflict with this approach.
EC 05 Town Centre and Retail Strategy	NTN 9 – Community Facilities	The policy seeks to enhance the vitality of the named retail centres Necton is not listed. The Neighbourhood Plan does however, seek to protect and retain valuable community facilities including local shops.
COM 01 Design	NTN 5 – Development Design NTN 6 – Sustainable Construction Practices NTN 8 – Flooding and Sustainable Drainage	The policy seeks to ensure new development is designed to the highest possible standard. The Neighbourhood Plan does not conflict with this approach.

Local Plan Strategic Policy	Neighbourhood Plan Policy	Comment
COM 02 Healthy Lifestyles	NTN 3 – Local Green Spaces NTN 5 – Development Design NTN 10 – Sports and Recreation Facilities NTN 11- Public Rights of Way	The policy seeks to facilitate enhanced health and wellbeing through the provision of conditions supportive of good physical and mental health. The Neighbourhood Plan includes a number of policies supporting this requirement.
COM 03 Protection of Amenity	NTN 5 – Development Design	The policy seeks to ensure any impacts from new development on residential amenity is taken into consideration. The Neighbourhood Plan does not conflict with this approach.
INF 02 Developer Contributions	No specific policies apply	The policy requires the provision of contributions towards infrastructure provision for all major developments. The Neighbourhood Plan does not conflict with this approach.
INF 03 Local Plan Policy Review	No specific policies apply	The policy sets out when a partial review of the LP would be undertaken with a focus on various development needs and reference to design standards. The partial review is ongoing. The Neighbourhood Plan does not conflict with this approach.

3. Compatibility with European Union Obligations and Human Rights

Environmental Impact and Habitat Regulations

- 3.1 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.
- 3.2 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.
- 3.3 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, Necton Parish Council requested Breckland 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 Necton NDP in June 2023 which concluded that neither a Strategic Environmental Assessment (SEA) nor a Habitats Regulation Assessment (HRA) were not required. All reports together with the responses from the statutory consultees can be viewed at <https://www.breckland.gov.uk/article/19734/Necton-Neighbourhood-Plan>
- 3.5 In line with Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (as amended) these documents are also submitted to Breckland District Council alongside the Neighbourhood Development Plan.

Human Rights

- 3.6 The public consultation process for the Necton 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.
- 3.7 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.
- 3.8 This section assesses the Submission Draft of the Neighbourhood Plan to ensure that Necton 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.

Neighbourhood Plan Objectives	Outcome for persons with Protected Characteristics
<p>Housing</p> <p>1 To ensure that the amount, size and tenure of new housing in the Parish meets locally identified needs</p> <p>2 Enable opportunities for the provision of affordable housing that meets the needs of those with a connection with Necton Parish</p>	<p>Provides for the provision of the right size of homes to meet the needs of the community.</p> <p>Broadly positive impact for persons with certain protected characteristics.</p>
<p>Natural Environment</p> <p>3 Protect and enhance the rural setting of the Parish and minimise the impact of development on the natural environment</p> <p>4 Maximise opportunities to improve natural habitats and biodiversity</p>	<p>Provides for the varied elements of the natural environment to support both the environment and the health and well being needs of the community.</p> <p>Broadly positive impact for persons with certain protected characteristics.</p>
<p>Built Environment</p> <p>5 Recognise and protect the importance of historic assets and their settings</p> <p>6 Ensure that new development is designed in a way that reflects local character</p> <p>7 Minimise the impact of new development on infrastructure, services and existing residents</p>	<p>Promotes the preservation of the character and historic assets of the village and also ensures new development not only reflects the character of the area but also has key features to the benefit of the community.</p> <p>Neutral impact for persons with protected characteristics.</p>
<p>Services and Facilities</p> <p>8 To protect and improve the range of existing community facilities and services.</p> <p>9 Improve opportunities for home working</p>	<p>Ensures the provision of infrastructure and services including those to support health and well being.</p> <p>Broadly positive impact for persons with certain protected characteristics.</p>
<p>Transport and Travel</p> <p>10 Support and encourage safe and sustainable transport, including walking, cycling and public transport</p> <p>12 Minimise the impact of vehicles on the historic character of the area</p>	<p>Supports sustainable modes of travel for the benefit of the environment and health and well being of the community.</p> <p>Broadly positive impact for persons with certain protected characteristics</p>

Impact of Necton Neighbourhood Plan Policies on Persons with Protected Characteristics

Policy	Purpose	Outcome
NTN 1	Requires housing developments to provide a housing mix to meet the needs of the community.	Ensures that the new development responds to the housing needs of the community. Broadly positive impact for persons with certain protected characteristics.
NTN 2	Requires proposals to have regard to the landscape quality and characteristics of the locality.	To ensure new development makes a positive contribution to the local environment. Neutral impact for persons with certain protected characteristics.
NTN 3	Designates 8 Local Green Spaces	Ensures these spaces are retained in their open form to the benefit of the community. Broadly positive impact for persons with certain protected characteristics.
NTN 4	Identifies 17 local heritage assets.	Ensures these buildings are retained to the benefit of the character of the area. Neutral impact for persons with certain protected characteristics.
NTN 5	Provides detail design considerations to be applied to all new development proposals	Ensures new housing responds to the needs of the local community. Broadly positive impact for persons with certain protected characteristics.
NTN 6	Requires new development to utilise sustainable construction practices.	Ensures new development is as energy efficient as possible to the benefit of the environment and local community through lower fuel bills. Broadly positive impact for persons with certain protected characteristics.
NTN 7	Supports the provision of renewable energy schemes	Provision of local renewable sources of energy. Neutral impact for persons with certain protected characteristics.
NTN 8	Requires new development to incorporate sustainable drainage system.	To reduce the impacts of flooding. Broadly positive impact for persons with certain protected characteristics.
NTN 9	Seeks to retain local services and facilities to avoid the need to travel.	Ensure local provision for the benefit of the community. Broadly positive impact for persons with certain protected characteristics.

Policy	Purpose	Outcome
NTN 10	Protects the loss of sports and recreational facilities.	Ensures such facilities are retained for the benefit of the health and well being of the local community. Broadly positive impact for persons with certain protected characteristics.
NTN 11	Seeks improvements to the local public rights of way network	Ensures access to the local network for the benefit of the health and well being of the local community. Broadly positive 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 development plan policies that do not apply to Necton Neighbourhood Plan

The following strategic policies in the Breckland Local Plan 2019 do not apply to Necton and have therefore not been assessed in this Basic Conditions Statement.

GEN 04 Development Requirements of Attleborough Strategic Urban Extension (SUE)
HOU 04 Village with Boundaries
HOU 05 Small Villages and Hamlets Outside of Settlement Boundaries
ENV 3 The Brecks Protected Habitats and Species
EC 01 Economic Development
EC 03 General Employment Areas
EC 05 Town Centre and Retail Strategy