

Wickham Market Neighbourhood Plan 2018-2036

Basic Conditions Statement

Wickham Market Parish Council

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1. Introduction

- 1.1. This Basic Conditions Statement has been produced to accompany Wickham Market Neighbourhood Plan.
- 1.2. The relevant legal framework for the preparation and making of neighbourhood plans is supported by the Localism Act 2011 and the Neighbourhood Planning Act 2017 and found in the:
 - Town and Country Planning Act 1990: ss. 61F, 61I, 61M-P and Schedule 4B
 - Planning and Compulsory Purchase Act 2004: ss 38A-C
 - Neighbourhood Planning (General) Regulations 2012 (2012 No.637) (As Amended)
- 1.3. Paragraph 8(2) of Schedule 4B to the Town & Country Planning Act 1990 requires a neighbourhood plan to meet five¹ basic conditions before it can proceed to a referendum. These are:
 - I. Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan;
 - II. The making of the neighbourhood development plan contributes to the achievement of sustainable development;
 - III. 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);
 - IV. The making of the neighbourhood development plan does not breach, and is otherwise compatible with, retained EU obligations; and
 - V. Prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan. The prescribed condition is that the making of the neighbourhood plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.
- 1.4. This document sets out how the Plan meets the Basic Conditions.

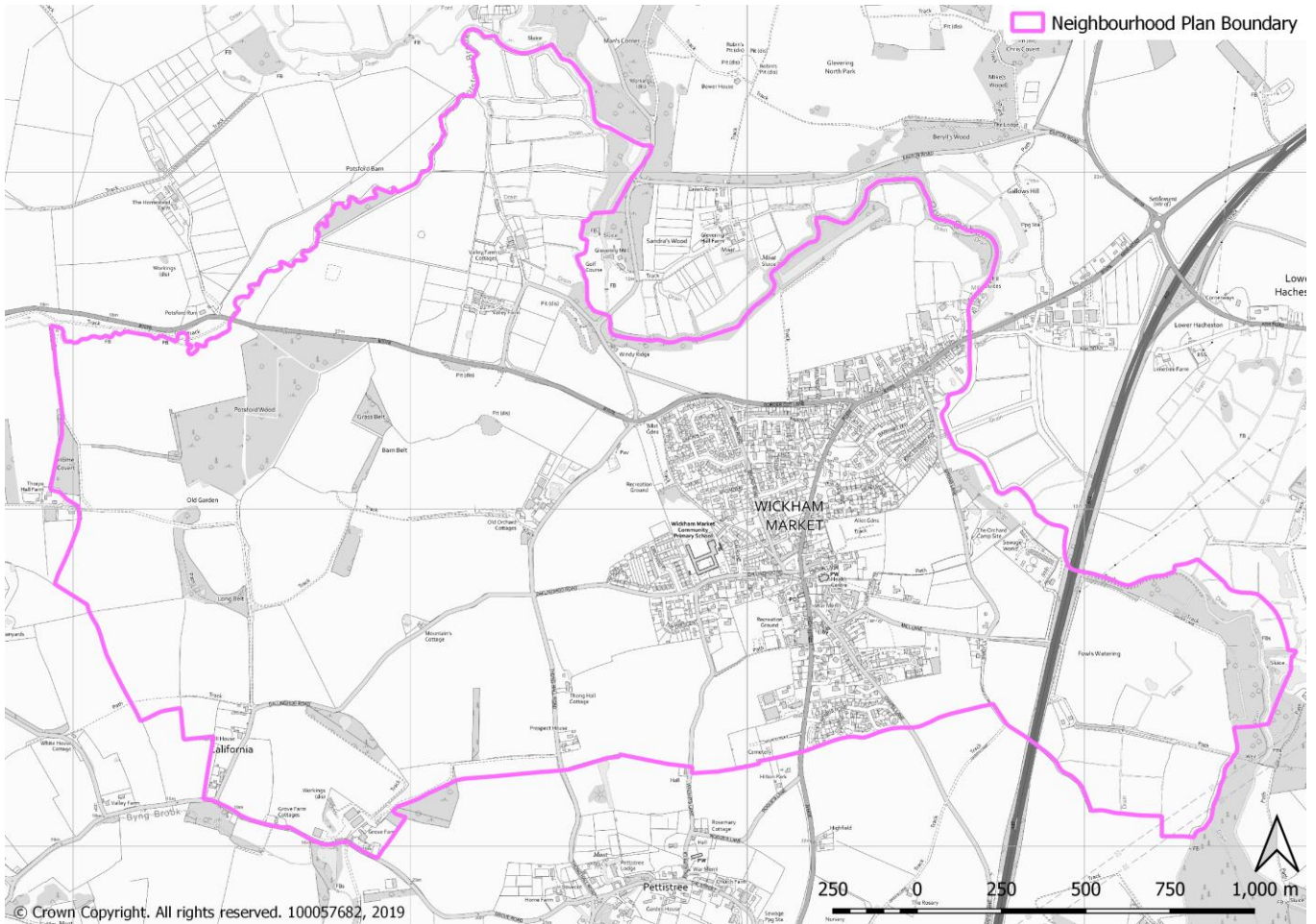
Key statements

- 1.5. Wickham Market Parish Council, as the qualifying body, has prepared the Plan, which covers the parish area of Wickham Market. This area was designated by Suffolk Coastal District Council in January 2016.
- 1.6. The Plan sets out policies that relate to the development and use of land within only the Wickham Market Neighbourhood Area. This is shown in Figure 1 below. This demonstrates compliance with Regulation 15(a) of the Neighbourhood Planning Regulations.
- 1.7. The Plan refers only to the administrative boundary of Wickham Market. There are no other adopted Neighbourhood Development Plans that cover the Wickham Market Neighbourhood Area.
- 1.8. The Wickham Market Neighbourhood Plan Committee (being a sub-committee of the Parish Council) has prepared the Plan to establish a vision for the future of the parish. The community has set out how

¹ There are two further basic conditions, which are relevant only to the making of a Neighbourhood Development Order and are therefore not considered in this document.

that vision will be realised through planning and controlling land use and development change over the plan period 2018 to 2036.

Figure 1: Wickham Market Neighbourhood Plan (WMNP) Area



2. Basic Condition (i) – Conformity with National Planning Policy

- 2.1. To meet this condition, the Plan must be shown to have regard to national policies and advice contained in guidance issued by the Secretary of State. National policy and guidance is contained within the National Planning Policy Framework (‘NPPF’) and the Planning Practice Guidance (‘PPG’).

National Planning Policy Framework

- 2.2. The NPPF has 13 key objectives which are:
1. Delivering a sufficient supply of homes
 2. Building a strong, competitive economy
 3. Ensuring the vitality of town centres
 - 4 Promoting healthy and safe communities
 5. Promoting sustainable transport
 6. Supporting high quality communications
 7. Making effective use of land
 8. Achieving well-designed places
 9. Protecting Green Belt land
 10. Meeting the challenge of climate change, flooding and coastal change
 11. Conserving and enhancing the natural environment
 12. Conserving and enhancing the historic environment
 13. Facilitating the sustainable use of minerals
- 2.3. This statement explains how the Plan contributes to meeting these objectives and also notes the specific national policies that the Plan is intended to support and supplement.
- 2.4. The Plan has a number of objectives. These are summarised in Table 2.1 alongside the NPPF goals that each objective seeks to address.

Table 2.1: Assessment of the WMNP objectives against NPPF goals

Plan objective	Relevant NPPF goal
New development includes provision and management of suitable infrastructure	<ul style="list-style-type: none"> • Achieving well-designed places • Promoting healthy and safe communities • Supporting high quality communications
New developments are built with adequate parking.	<ul style="list-style-type: none"> • Achieving well-designed places
New houses are energy efficient	<ul style="list-style-type: none"> • Meeting the challenge of climate change, flooding and coastal change
Mix of housing to meet local needs	<ul style="list-style-type: none"> • Delivering a sufficient supply of homes
Provide greenspace, play space, and sports fields are provided in line with the Local Plan green infrastructure requirements for new development.	<ul style="list-style-type: none"> • Promoting healthy and safe communities

Plan objective	Relevant NPPF goal
New development is designed to reflect local character and include comprehensive schemes for landscape and ecological enhancement to ensure that the quality and character of the Parish is not compromised.	<ul style="list-style-type: none"> • Achieving well-designed places • Conserving and enhancing the natural environment
Provide safe routes through the village, particularly for people with disabilities	<ul style="list-style-type: none"> • Promoting sustainable transport • Promoting healthy and safe communities
Ensure provision of adequate sport and leisure provision for all ages.	<ul style="list-style-type: none"> • Promoting healthy and safe communities
Enhance the play area provision within the village.	<ul style="list-style-type: none"> • Promoting healthy and safe communities
To retain and protect the current allotment provision.	<ul style="list-style-type: none"> • Promoting healthy and safe communities
Make the public areas more pedestrian friendly.	<ul style="list-style-type: none"> • Promoting sustainable transport • Promoting healthy and safe communities
Protect and enhance the vitality and viability of the village centre.	<ul style="list-style-type: none"> • Building a strong, competitive economy
Protect all the village heritage assets (both designated and non-designated)	<ul style="list-style-type: none"> • Conserving and enhancing the historic environment
Preserve the setting and quality of the Parish Cemetery and ensure adequate future provision.	<ul style="list-style-type: none"> • Conserving and enhancing the natural environment
Provide electric charging points for cars	<ul style="list-style-type: none"> • Promoting sustainable transport • Meeting the challenge of climate change, flooding and coastal change
Conserve, enhance and link natural spaces and their associated biodiversity	<ul style="list-style-type: none"> • Conserving and enhancing the natural environment
Create new green space such as meadows, woodland and orchards.	<ul style="list-style-type: none"> • Conserving and enhancing the natural environment
Preserve and enhance the character of the Conservation Area	<ul style="list-style-type: none"> • Conserving and enhancing the historic environment
Provide adequate short term, long term and overspill parking facilities for workers and visitors to the core business centres.	<ul style="list-style-type: none"> • Building a strong, competitive economy

2.5. Table 2.2 sets out each policy of the Plan alongside the policies in the NPPF that it has had regard to and analyses how each Plan policy contributes to achieving the key objectives of the NPPF.

Table 2.2: Assessment of how each policy in the WMNP conforms to the NPPF

Policy Title and Reference	NPPF Reference (paragraph)	Commentary
POLICY WICK1: DEVELOPMENT STRATEGY AND PRINCIPLES	16, 17, 28	A core principle of national policy is the need for the planning system to contribute to sustainable development. The NPPF states that plans should be developed that support the strategic development needs set out in the Local Plan and actively manage patterns of growth. The policy takes a positive approach to development by defining the settlement boundary to enable a balanced approach to delivering the housing need and supporting infrastructure.
POLICY WICK2: LOCAL LANDSCAPE CHARACTER	126, 127, 130, 174, 179	This policy contributes to the NPPF objectives of achieving well designed places and conserving and enhancing the natural environment. It seeks to preserve the setting of Wickham Market in a rural landscape, as well maximising the protection and enhancement of biodiversity.
POLICY WICK3: KEY LOCAL VIEWS	126, 127, 130, 174	This policy contributes to the NPPF objectives of achieving well designed places and conserving and enhancing the natural environment. It seeks to preserve the setting of Wickham Market in a rural landscape, specifically in relation to important views.
POLICY WICK4: PROVISION FOR WILDLIFE IN NEW DEVELOPMENT	154, 168, 174, 179	The NPPF seeks to ensure that development maximises biodiversity and opportunities for wildlife to thrive. The policy seeks to identify the ways that design can enable this to happen. This includes through provision of multi-purpose sustainable drainage systems that are designed to enhance biodiversity.
POLICY WICK5: DESIGNING FOR RENEWABLE ENERGY AND CARBON REDUCTION	153, 154, 155	The policy supports the national objective of designing development to minimise its negative impact on climate change. In particular it seeks to encourage a series of environmentally sustainable design features aimed at minimising energy consumption.
POLICY WICK6: LOCAL GREEN SPACES	101, 102	The NPPF states that Neighbourhood Plans have the opportunity to designate Local Green Spaces. This policy designates a number of areas in Wickham Market as green spaces.
POLICY WICK7: PRESERVING AND ENHANCING OPEN, GREEN AND TREED SPACES IN THE WICKHAM MARKET CONSERVATION AREA	174, 190	National policy encourages the conservation of the historic environment and assets, so that these can be enjoyed by local communities. The policy supports the protection of green spaces that are an important feature of the Conservation Area.
POLICY WICK8: NON-DESIGNATED HERITAGE ASSETS	190	A key objective of the NPPF is to conserve and enhance the historic environment. This policy seeks to conserve and enhance heritage assets of local importance in Wickham Market.
POLICY WICK9: CAR PARKING	107, 108	The NPPF sets out that parking considerations should contribute to making high quality places. This policy supports that objective by ensuring that car parking meets the required standards.
POLICY WICK10: PEDESTRIAN SAFETY	104, 105, 106	The NPPF objective of promoting sustainable transport, including walking, requires that walking routes are made safe for pedestrians. The policy identifies particular pinchpoints where pedestrian safety is currently at risk and seeks to ensure that development enhances pedestrian safety.

Policy Title and Reference	NPPF Reference (paragraph)	Commentary
POLICY WICK11: CYCLING, WALKING AND DISABILITY ACCESS ROUTES	104, 105, 106	The policy supports the NPPF objective of encouraging sustainable modes of transport by seeking improvements to walking, cycling and disability access routes to key facilities.
POLICY WICK12: LAND AT OLD SCHOOL FARM	60, 68, 69, 70, 92, 93	This policy contributes to the NPPF objectives of delivering a sufficient supply of homes. National Policy supports neighbourhood planning groups in allocating small and medium sized sites. The allocation also provides for a community facility.
POLICY WICK13: LAND AT SIMON'S CROSS	60, 68, 69, 70, 92, 93	This policy contributes to the NPPF objectives of delivering a sufficient supply of homes. National Policy supports neighbourhood planning groups in allocating small and medium sized sites. The allocation also provides for a children's play space and the re-provision of allotments.

3. Basic Condition (iv) – Contribution to Sustainable Development

- 3.1. The NPPF states in paragraph 11 that a presumption in favour of sustainable development is at the heart of the NPPF.
- 3.2. For the Plan, sustainable development has been the fundamental basis of each of its policies. The National Planning Practice Guidance advises that ‘sufficient and proportionate evidence should be presented on how the neighbourhood plan ... guides development to sustainable solutions’. The evidence base presented alongside the Plan, coupled with the reasoned justification for each policy in the Plan, demonstrates how the Plan guides development towards sustainable solutions.
- 3.3. Table 3.1 below summarises how the objectives and policies in the Plan contribute towards sustainable development, as defined in the NPPF. Many of the objectives of the Plan overlap the three strands of sustainability, so for the purposes of this document, the most relevant strand has been taken to illustrate conformity.

Table 3.1: Assessment of WMNP objectives and policies against sustainable development

Deliver economic sustainability	
NPPF definition – ‘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.’	
WMNP Objectives	Protect and enhance the vitality and viability of the village centre. Provide adequate short term, long term and overspill parking facilities for workers and visitors to the core business centres.
WMNP Policies	POLICY WICK1: DEVELOPMENT STRATEGY AND PRINCIPLES POLICY WICK12: LAND AT OLD SCHOOL FARM
Commentary	The NPPF seeks to secure economic growth in order to create jobs and prosperity, building on the country’s inherent strengths, and to meet the twin challenges of global competition and of a low carbon future. The Plan seeks to contribute to the delivery of this national aim by promoting key infrastructure such as better parking for the village centre (WICK1) and requiring the land at Old School Farm (WICK12) to retain the Old School building so that it can accommodate local businesses.

Deliver social sustainability	
NPPF definition – ‘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.’	
WMNP Objectives	<p>New development includes provision and management of suitable infrastructure.</p> <p>New developments are built with adequate parking.</p> <p>Mix of housing to meet local needs.</p> <p>Provide safe routes through the village, particularly for people with disabilities.</p> <p>Ensure provision of adequate sport and leisure provision for all ages.</p> <p>Enhance the play area provision within the village.</p> <p>To retain and protect the current allotment provision.</p> <p>Make the public areas more pedestrian friendly.</p> <p>Manage and protect the quiet rural lanes, bridleways and footpaths.</p> <p>Protect all the village heritage assets (both designated and non-designated).</p> <p>Preserve the setting and quality of the Parish Cemetery and ensure adequate future provision.</p> <p>Preserve and enhance the character of the Conservation Area.</p>
WMNP Policies	<p>POLICY WICK1: DEVELOPMENT STRATEGY AND PRINCIPLES</p> <p>POLICY WICK7: PRESERVING AND ENHANCING OPEN, GREEN AND TREED SPACES IN THE WICKHAM MARKET CONSERVATION AREA</p> <p>POLICY WICK8: NON-DESIGNATED HERITAGE ASSETS</p> <p>POLICY WICK9: CAR PARKING</p> <p>POLICY WICK10: PEDESTRIAN SAFETY</p> <p>POLICY WICK11: CYCLING, WALKING AND DISABILITY ACCESS ROUTES</p> <p>POLICY WICK12: LAND AT OLD SCHOOL FARM</p> <p>POLICY WICK13: LAND AT SIMON’S CROSS</p>
Commentary	<p>One of the key objectives in the NPPF is to conserve and enhance the historic environment. Policies WICK7 and 8 protect the non-designated heritage assets in the parish and also the green areas that form an important part of the setting of the Conservation Area.</p> <p>The Plan seeks to protect and improve cycling and walking routes, which not only create a physically healthier community, but one that is also more inclusive and people-friendly. This is identified by Policies WICK10 and 11. Also, WICK 9 ensures that car parking meets the required standards, thereby enhancing pedestrian safety.</p> <p>Leisure facilities are also important to maintain and enhance the health of the community. Policies WICK12 and 13 specifically require the provision of a community facility and play space respectively.</p> <p>Policy WICK1 seeks to ensure that a range of housing is provided, including accessible and adaptable homes and a mix of housing for an older population.</p>

Deliver environmental sustainability	
NPPF definition – ‘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.’	
WMNP Objectives	<p>New houses are energy efficient.</p> <p>New development is designed to reflect local character and include comprehensive schemes for landscape and ecological enhancement to ensure that the quality and character of the Parish is not compromised.</p> <p>Provide electric charging points for cars.</p> <p>Conserve, enhance and link natural spaces and their associated biodiversity.</p> <p>Create new green space such as meadows, woodland and orchards.</p>
WMNP Policies	<p>POLICY WICK1: DEVELOPMENT STRATEGY AND PRINCIPLES</p> <p>POLICY WICK2: LOCAL LANDSCAPE CHARACTER</p> <p>POLICY WICK3: KEY LOCAL VIEWS</p> <p>POLICY WICK4: PROVISION FOR WILDLIFE IN NEW DEVELOPMENT</p> <p>POLICY WICK5: DESIGNING FOR RENEWABLE ENERGY AND CARBON REDUCTION</p> <p>POLICY WICK6: LOCAL GREEN SPACES</p> <p>POLICY WICK7: PRESERVING AND ENHANCING OPEN, GREEN AND TREED SPACES IN THE WICKHAM MARKET CONSERVATION AREA</p> <p>POLICY WICK11: CYCLING, WALKING AND DISABILITY ACCESS ROUTES</p> <p>POLICY WICK12: LAND AT OLD SCHOOL FARM</p> <p>POLICY WICK13: LAND AT SIMON’S CROSS</p>
Commentary	<p>The natural environment is of key importance to Wickham Market’s neighbourhood area. The Plan seeks to protect and enhance green spaces (Policy WICK6) and access to them and the countryside (Policy WICK11). Alongside this, it seeks to protect and enhance wildlife and biodiversity (Policies WICK1, 2 and 4) as well as important landscape features and key views (Policies WICK3 and 4).</p> <p>In seeking to meet the challenge of climate change and flooding, Policy WICK5 requires development to be as energy efficient as possible and provide for zero emission vehicles and Policy WICK4 encourages design of sustainable drainage systems so they address surface water flooding but also act as a biodiversity asset.</p>

3.4 As demonstrated in Table 3.1, the strategic objectives of the Plan are considered to comprise a balance of social, economic and environmental goals. The policies in the Plan demonstrably contribute to achieving well-designed places, promoting a healthy and safe community and conserving and enhancing the natural and historic environment.

4. Basic Condition (v) – General Conformity with the Strategic Policies of the Development Plan

- 4.1. The development plan currently consists of the following:
- 2020 Suffolk Coastal Local Plan
 - 2020 Suffolk Minerals and Waste Local Plan
- 4.2. Table 4.1 details the WMNP policies alongside a consideration of how they are in general conformity with the strategic policies in the 2020 Suffolk Coastal Local Plan. Where it is not clear whether a policy is strategic, a judgment has been made. Equally, there are a number of strategic policies in the Local Plan which are not considered relevant to any of the policies in the Neighbourhood Plan. In such cases, these strategic policies have not been included.
- 4.3. Where a policy is not identified in Table 4.1, it is considered that the Neighbourhood Plan does not contain any policies that directly relate to it. In this respect not all strategic policies in the Local Plan are listed, only those considered relevant. The full list of strategic policies is contained in Appendix M of the Local Plan.
- 4.4. It is confirmed that there are no policies in the 2020 Suffolk Minerals and Waste Local Plan that the WMNP policies have any relevance to.

Table 4.1: Assessment of conformity with strategic policies in the development plan

Local Plan Policy	WMNP policy	Commentary
SCLP2.2: Strategic Infrastructure Priorities	Policy WICK11: Cycling, Walking And Disability Access Routes	Policy SCLP2.2 identifies improving walking and cycling routes as a strategic priority. Policy WICK11 seeks to improve specific walking and cycling routes.
SCLP3.2: Settlement Hierarchy	Policy WICK12: Land At Old School Farm Policy WICK13: Land At Simon's Cross	Policy SCLP3.2 identifies Wickham Market as a Large Village and states that development requirements will be met through site allocations in local and neighbourhood plans. All of the WMNP policies contribute towards addressing the strategic policy framework for Wickham Market, being classified as a Large Village. Policies WICK12 and 13 allocate sites to deliver the housing requirements in Table 3.5 of the Local Plan.
SCLP3.3: Settlement boundaries	Policy WICK1: Development Strategy And Principles	Policy SCLP3.3 states that neighbourhood plans can adjust settlement boundaries to allow for site allocations. Policy WICK1 (and the Policies Map) identifies the settlement boundary for Wickham Market village which includes the two site allocations, WICK12 and WICK13.
SCLP5.8: Housing mix	Policy WICK1: Development Strategy And Principles	Policy SCLP5.8 requires a range of housing to be delivered to meet identified needs. Policy WICK1 seeks to ensure that a range of housing is provided, including accessible and adaptable homes and a mix of housing for an older population.
SCLP7.1: Sustainable Transport	Policy WICK10: Pedestrian Safety Policy WICK11: Cycling, Walking And Disability Access Routes	Policy SCLP7.1 requires development to encourage people to use non-car modes and to enhance safe cycling and walking access. Policy WICK10 seeks to improve pedestrian safety. Policy WICK11 seeks to improve specific walking and cycling routes.
SCLP7.2: Parking Proposals and Standards	Policy WICK9: Car Parking	Policy SCLP7.2 requires development to make appropriate provision for vehicle parking and vehicle charging points. Policy WICK9 seeks to ensure parking meets the required

Local Plan Policy	WMNP policy	Commentary
	Policy WICK5: Designing For Renewable Energy And Carbon Reduction	standards. Policy WICK5 seeks to ensure that development provides for electric vehicle charging.
SCLP8.1: Community Facilities and Assets	Policy WICK12: Land At Old School Farm	Policy SCLP8.1 encourages provision of new community facilities that meet local community needs and seeks to ensure that facilities can only be lost if there is no proven need or they are not viable. Policy WICK12 seeks to ensure the adequate provision of a new community facility.
SCLP8.2: Open Space	Policy WICK13: Land At Simon's Cross Policy WICK6: Local Green Spaces	Policy SCLP8.2 encourages provision of new open space and recreation facilities to meet local community needs and seeks to ensure that such spaces can only be lost in exceptional circumstances. It also enables neighbourhood plans to identify Local Green Spaces. Policy WICK13 seeks to deliver a new play facility. Policy WICK6 protects local green spaces of value to the community.
SCLP9.2: Sustainable Construction	Policy WICK5: Designing For Renewable Energy And Carbon Reduction	Policy SCLP9.2 requires development to meet certain standards for minimising carbon emissions and resource use. Policy WICK5 seeks to ensure new development is made as energy efficient as possible.
SCLP9.7: Holistic Water Management	Policy WICK5: Designing For Renewable Energy And Carbon Reduction	Policy SCLP9.7 requires development to incorporate water efficiency and re-use measures. Policy WICK5 seeks to ensure new development is made as water efficient as possible.
SCLP10.1: Biodiversity and Geodiversity	Policy WICK4: Provision For Wildlife In New Development	Policy SCLP10.1 requires development to maintain, restore or enhance green infrastructure and contribute positively towards biodiversity. Policy WICK4 seeks to ensure that development enhances biodiversity and identifies the types of actions that can be taken to build this into development proposals.
SCLP10.4: Landscape Character	Policy WICK2: Local Landscape Character	Policy SCLP10.4 states that development must demonstrate how it will protect and enhance the landscape

Local Plan Policy	WMNP policy	Commentary
	Policy WICK3: Key Local Views	and its special features, including significant views. Policies WICK2 and 3 seeks to ensure that new development is in keeping with the character of the surrounding area and protect the landscape and specific identified views.
SCLP11.1: Design Quality	Policy WICK1: Development Strategy And Principles Policy WICK2: Local Landscape Character	Policy SCLP11.1 supports locally distinctive and high quality design that demonstrate a clear understanding of local character. Policies WICK1 and 2 seeks to ensure high design quality that reflects the character of the local landscape.
SCLP11.3: Historic Environment	Policy WICK7: Preserving And Enhancing Open, Green And Treed Spaces In The Wickham Market Conservation Area	Policy SCLP11.3 seeks to conserve and enhance the historic environment. Policy WICK7 seeks to protect green spaces that are an important part of the setting of the Conservation Area.
SCLP11.6: Non-Designated Heritage Assets	Policy WICK8: Non-Designated Heritage Assets	Policy SCLP11.6 establishes parameters for the re-use or loss of NDHAs. It also states that neighbourhood plans can identify NDHAs. Policy WICK8 identifies a series of NDHAs accordingly.
SCLP12.1: Neighbourhood Plans	Policy WICK1: Development Strategy And Principles Policy WICK12: Land At Old School Farm Policy WICK13: Land At Simon's Cross	Policy SCLP12.1 supports the development of neighbourhood plans and establishes the minimum number of dwellings that they should plan for. For Wickham Market, the figure is 70 dwellings, in addition to the Local Plan allocation (Policy SCLP12.60) in Pettistree parish, adjoining Wickham Market. Policy WICK1 establishes that this housing requirement will be met and Policies WICK12 and 13 allocate sites to deliver the housing requirement.

5. Basic Condition (vi) – Conformity with EU Obligations

- 5.1. The Plan and the process under which it was made conforms to the SEA Directive (EU 2001/42/EC) and the Environmental Assessment of Plans and Programmes Regulations 2004 (the Regulations). Because the Plan was allocating sites, it was established at an early stage with Suffolk Coastal District Council (now East Suffolk Council), that a Strategic Environmental Assessment would be required because the Plan would have significant environmental effects in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004.
- 5.2. In February 2018, Wickham Market Parish Council published a draft SEA Scoping Report for consultation with Suffolk Coastal District Council and the statutory bodies (the Environment Agency, Natural England and Historic England). Following representations received, a final SEA Scoping Report was prepared and then published in April 2019 to inform the SEA. This also informed the criteria for assessing potential site allocations and any reasonable alternatives.
- 5.3. The SEA Report was prepared to support the development of the Wickham Market Neighbourhood Plan. This included the assessment of potential site allocations and reasonable alternatives that had been used to inform the sites included in the plan at Regulation 14 stage and then again at Regulation 16 stage.
- 5.4. All the relevant reports and consultation responses have been submitted at Regulation 15 stage as part of the evidence base for the Plan.
- 5.5. In addition to conforming to its EU obligations, the Plan does not breach and is not otherwise incompatible with the European Convention on Human Rights.

6. Basic Condition (vii) – Conformity with the Prescribed Conditions

- 6.1. Under Directive 92/43/EEC, also known as the Habitats Directive², it must be ascertained whether the Neighbourhood Plan is likely to breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017. Assessments under the regulations are known as Habitats Regulation Assessments ("HRA"). An appropriate assessment ("AA") is required only if the Plan is likely to have significant effects on a European protected species or site. To ascertain whether or not it is necessary to undertake an assessment, a screening process is followed.
- 6.2. In February 2019 an HRA screening report was published alongside the Pre-Submission (Regulation 14) version of the Plan. This concluded that the Plan was unlikely to have any significant effect on the identified network of protected sites. Despite following up the consultation request, a response on this was not received from Natural England.
- 6.3. Since that time, amendments to legislation and national Planning Practice Guidance have placed further emphasis on ensuring that the requirements for HRA are met in the production of neighbourhood plans. Working with East Suffolk Council, it was agreed that it would be prudent to review the HRA work.
- 6.4. In April 2021, a draft HRA re-screened the Plan to ascertain whether there would be likely significant effects on protected sites. This concluded that a more detailed 'Appropriate Assessment' was necessary for policies WICK1, WICK12 and WICK13. The Appropriate Assessment was carried out and reported in the same document. The Appropriate Assessment identified some suggested changes to the Regulation 14 version of the Neighbourhood Plan that were duly made in the draft Regulation 15 version. The HRA, incorporating Appropriate Assessment, along with the draft Regulation 15 version of the Plan, were consulted on with Natural England. They concurred with the assessment and the amendments made. The HRA which supports the Submission (Regulation 16) Version of the Wickham Market Neighbourhood Plan was duly published in October 2021.

² Directive 92/43/EEC 'on the conservation of natural habitats and of wild fauna and flora': <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:31992L0043>.

7. Conclusion

- 7.1. The relevant Basic Conditions as set out in Schedule 4B to the TCPA 1990 are considered to be met by the Wickham Market Neighbourhood Plan and all the policies therein. It is therefore respectfully suggested to the Examiner that the Wickham Market Neighbourhood Plan complies with Paragraph 8(1)(a) of Schedule 4B of the Act.




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