

Easton Neighbourhood Plan **Basic Conditions Statement**

To accompany the Easton Neighbourhood Plan
submission version, for examination

October 2023

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1 Introduction

- 1.1 When submitting a Neighbourhood Plan to the Local Authority (in this case East Suffolk 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 East Suffolk Council and the Independent Planning Examiner, to assist in making this assessment about the basic conditions.

2 Legal requirements

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

Qualifying Body: The Easton Neighbourhood Development Plan is being submitted by a qualifying body – Easton Parish Council. Easton Parish Council was confirmed as a qualifying body by East Suffolk Council in December 2017 when the Easton Neighbourhood Plan Area was designated.

A Neighbourhood Development Plan: The Easton 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 Easton Neighbourhood Development Plan states the time-period for which it is to have effect (from 2018-2036) a period of 18 years.

Excluded Development: The Easton Neighbourhood Development Plan policies do not relate to excluded development. The Easton 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 Easton Neighbourhood Development Plan relates to the Easton 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 Section 4 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 Easton 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 Easton Neighbourhood Development Plan).
- (d) The making of the Plan contributes to the achievement of sustainable development (see Section 5 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 Section 4 below).
- (f) The making of the Plan does not breach and is otherwise compatible with EU obligations (see Section 6 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 Section 7 below).

- 3.3 Where applicable each of these basic conditions is addressed in the following sections. For clarification it should be noted that b) and c) above are not applicable to the Easton Neighbourhood Development Plan and refer to 'Neighbourhood Orders' only.

4 (a) 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 Easton 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 July 2021 subsequently updated in September 2023. The table below assesses the degree of regard that the Easton Neighbourhood Development Plan policies have had to NPPF 2023 (Column B).
- 4.3 The strategic policies for the area are contained in the East Suffolk Council – Suffolk Coastal Local Plan (SCLP) which was adopted in September 2020. The Neighbourhood Plan has been assessed against the relevant policies in the Local Plan (Column C). A formal review of the Adopted Local Plan has not yet begun.
- 4.4 In summary, it is the view of the Easton Parish Council (as the relevant Qualifying Body) that the appraisal demonstrates that the Easton Neighbourhood Development Plan has had appropriate regard to and is in general conformity with, both national and strategic policy.

Adopted policy documents

Column A The Easton Neighbourhood Development Plan Policy	Column B National Planning Policy Framework (NPPF) 2023	Column C East Suffolk Council – Suffolk Coastal Local Plan – Adopted 2020
<p>ETN1 Housing Development</p>	<p>This policy is consistent with NPPF paragraph 29 which advises that Neighbourhood Plans should not promote less development than set out in the strategic policies for the area or undermine them.</p> <p>Policy ETN1 explicitly sets out how the housing requirement for the parish over the plan period will be met. The Neighbourhood Plan also indicates that new development will be focused inside the settlement boundary and that development outside will need to be in accordance with the NPPF (paragraph 80).</p> <p>This policy also reflects NPPF para 62, which advises that planning policies should reflect the needs of ‘those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers,</p>	<p>This policy is consistent with Policy SCLP3.3 of the Adopted Local Plan by ensuring new development will be focused within the settlement boundary and will only be allowed outside that area where particular circumstances set out in the NPPF or the Local Plan are met.</p> <p>The adopted Local Plan (2020) makes provision for a minimum of 44 new homes in the parish between 1 April 2018 and 2036. Of the 44, 26 are completed. The policy allows for an element of this requirement to come forward as ‘windfall’ development during the Neighbourhood Plan period. Examples include infill plots, subdivision of a house to form two, or farm building conversions. There is no guarantee that the residual requirement will be met by such developments within or outside the settlement boundary. The police indicates that a specific housing allocation is therefore necessary to provide certainty of how the Local Plan housing requirement will be met.</p>

Column A The Easton Neighbourhood Development Plan Policy	Column B National Planning Policy Framework (NPPF) 2023	Column C East Suffolk Council – Suffolk Coastal Local Plan – Adopted 2020
	<p>people who rent their homes and people wishing to commission or build their own homes’.</p> <p>The policy is based on consultation, carried out with local residents and supports 2 and 3 bedroomed homes which are adaptable and accessible and can meet the needs of both younger families and older people.</p>	<p>This policy is in general conformity with Adopted Local Plan Policy SCLP5.8 Housing Mix which set out the preferred housing mix for the district as a whole This includes a focus on smaller properties (1-2 bedrooms), accessible housing and housing for older people.</p> <p>Policy ETN1 provides support for smaller properties such as 2-3 bedrooms which would be suitable for families and older people. The policy also supports adaptable and accessible housing.</p>
<p>ETN2 Land south west of Wickham Market Road</p>	<p>This policy is consistent with NPPF paragraph 29 which advises that Neighbourhood Plans should not promote less development than set out in the strategic policies for the area or undermine them.</p> <p>Policy ETN2 makes a specific allocation for 12 dwellings south of Wickham Road and provides additional guidance to enable the satisfactory development of the site.</p>	<p>The adopted Local Plan (2020) makes provision for a minimum of 44 new homes in the parish between 1 April 2018 and 2036. Of the 44, 26 are completed.</p> <p>There is no guarantee that the residual requirement will be met within or outside the settlement boundary and it is therefore necessary to allocate a site in the Neighbourhood Plan to provide certainty of how the Local Plan housing requirement will be met. Policy ETN2 makes that specific allocation for 12 dwellings at land south of Wickham Road. In accordance with Policy SCLP5.10 of the adopted Local Plan, 1 in 3 of the dwellings will be Affordable Housing.</p>

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ETN3 Dark Skies	<p>This policy is consistent with NPPF paragraph 185 c) which refers to the desire to limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes, and nature conservation.</p> <p>Policy ETN3 seeks to limit the impact of lighting from new development on dark skies.</p>	<p>This policy is consistent with Adopted Local Plan policies SCLP6.3, and 6.4 (relating to tourist development) and SCLP 10.4 (Landscape character) which contain criteria which seek to protect dark skies in the district.</p> <p>In addition Policy SCLP11.2 covering Residential Amenity seeks to ensure that minimising light spillage (pollution) is a consideration in determining applications for new development.</p>
ETN4 Protection of landscape character and important views	<p>This policy reflects NPPF paragraph 174, which recognises the intrinsic character and beauty of the countryside.</p> <p>The policy identifies 16 important views to be protected from development which would have an adverse impact upon the identified view. Justification for the identified views is included in the supporting text to the policy.</p>	<p>This policy is in general conformity with Adopted Local Plan Policy SCLP10.4 Landscape Character which seeks to ensure that development proposals are informed by landscape character assessments and SCLP10.5 Settlement Coalescence which seeks to resist the coalescence of settlements.</p> <p>Policy ETN4 adds a local dimension and seeks to ensure that wherever possible the important views, landscape character, heritage and rural character of the Neighbourhood Plan Area have regard to, and conserve, or enhance, the landscape character and the setting of the village; and ensure that there is no detrimental impact on the 16 identified important views.</p>

<p>Column A The Easton Neighbourhood Development Plan Policy</p>	<p>Column B National Planning Policy Framework (NPPF) 2023</p>	<p>Column C East Suffolk Council – Suffolk Coastal Local Plan – Adopted 2020</p>
<p>ETN5 Recreation Disturbance Avoidance and Mitigation</p>	<p>This policy is consistent with paragraph 174 (d) of the NPPF which requires planning policies to minimise impacts on and provide net gains for biodiversity.</p> <p>In addition paragraphs 179 -182 of the NPPF make it clear that sites such as Special Areas of Conservation, Special Protection Areas and Ramsar sites should be given the same protection as habitat sites.</p> <p>Policy ETN5 is specifically included in the Neighbourhood Plan to ensure this obligation is met.</p>	<p>Policy SCLP10.1: Biodiversity and Geodiversity of the Adopted Local Plan covers this broad area. Policy ETN5 has been developed in the context of the HRA/AA of the Adopted local Plan and the Suffolk RAMS.</p> <p>The Neighbourhood Plan area falls within the Suffolk Coast Recreational Disturbance Avoidance and Mitigation Strategy Zone of Influence (ZOI).</p> <p>Ipswich Borough, Babergh and Mid Suffolk Districts and East Suffolk Council are taking a collaborative approach to strategic mitigation to support development and avoid recreational impacts on internationally important designated wildlife sites. The Councils have adopted a combined recreational disturbance, avoidance and mitigation strategy (Suffolk RAMS) for the area.</p> <p>A Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) Supplementary Planning Document was adopted in May 2021 and summarises the requirements of Suffolk Coast RAMS.</p>

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		<p>Policy ETN5 has been developed to address this requirement.</p>
<p>ETN6 Biodiversity and Habitats</p>	<p>This policy is consistent with paragraph 174 (d) of the NPPF which requires planning policies to minimise impacts on and provide net gains for biodiversity. In addition paragraph 179 (b) of the NPPF refers to the pursuit of opportunities for biodiversity net gains.</p> <p>Policy ETN6 identifies natural features such as trees and hedgerows which should be positively conserved. The policy also requires development to provide suitable mitigation measures for any features that may be lost as a consequence of the development and provide a biodiversity net gain in accordance with the Environment Act 2021.</p>	<p>This policy is in general conformity with Adopted Local Plan Policy SCLP10.1 Biodiversity and Geodiversity which supports development that maintains, restores, or enhances the existing green infrastructure network and positively contributes towards biodiversity and/or geodiversity. The policy is also in conformity with Policy SCLP12.28 criterion e) which seeks enhancements to networks of green infrastructure and h) which seeks to protect and enhance the natural environment.</p> <p>Policy ETN6 has been prepared in the context of the Environment Act 2021 and seeks to protect and enhance existing ecological networks and wildlife corridors and supports proposals that provide a net gain in biodiversity.</p>

Column A The Easton Neighbourhood Development Plan Policy	Column B National Planning Policy Framework (NPPF) 2023	Column C East Suffolk Council – Suffolk Coastal Local Plan – Adopted 2020
ETN7 Local Green Spaces	<p>This policy reflects NPPF paras 101-103 which advocates 'The designation of land as Local Green Space through local and neighbourhood plans allows communities to identify and protect green areas of particular importance to them'.</p> <p>The five spaces proposed for protection by Policy ETN7 have been assessed against the criteria in the NPPF paragraph 102.</p>	<p>This policy is in general conformity with Adopted Local Plan Policy SCLP8.2 Open Space which seeks to safeguard existing open space and enables Neighbourhood Plans to identify Local Green Spaces.</p> <p>Policy ETN7 identifies five proposed Local Green Spaces which have been assessed against the criteria in the NPPF.</p>
ETN8 Non-Designated Heritage Assets	<p>This policy reflects NPPF paragraph 203 which outlines the approach to assessing the impact of applications on Non-designated Heritage Assets. 'In weighing applications that directly or indirectly affect Non-designated Heritage Assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'</p> <p>Policy ETN8 identifies 26 Non- designated Heritage Assets, which have been</p>	<p>This policy is in general conformity with Adopted Local Plan Policy SCLP11.6 Non-Designated Heritage Assets which sets out the criteria for dealing with applications that affect Non-Designated Heritage Assets.</p> <p>Policy ETN8 provides a local dimension and identifies 26 potential NDHA which have been assessed using the Historic England guidance.</p>

Column A The Easton Neighbourhood Development Plan Policy	Column B National Planning Policy Framework (NPPF) 2023	Column C East Suffolk Council – Suffolk Coastal Local Plan – Adopted 2020
	assessed using the Historic England Listing Criteria.	
ETN9 Design Considerations	<p>This policy reflects NPPF Section 12 which indicates that the creation of high quality, beautiful and sustainable buildings and places is fundamental to planning.</p> <p>Policy ETN9 6 is supported by a specific set of Design Guidelines produced by AECOM to support the Neighbourhood Plan which is consistent with the emphasis in NPPF paragraphs 127 and 128. The policy seeks to ensure that all new development reflects the local characteristics and circumstances in the Neighbourhood Plan Area and creates and contributes to a high quality, safe and sustainable environment.</p>	<p>This policy is in general conformity with Adopted Local Plan Policy SCLP11.1 Design Quality which supports locally distinctive and high-quality design that clearly demonstrates an understanding of the key features of local character and seeks to enhance these features through innovative and creative means.</p> <p>Policy ETN9 requires that all new development reflects the local characteristics and circumstances in the Neighbourhood Plan area and creates and contributes to a high quality, safe and sustainable environment.</p> <p>The policy is supported by the Easton Design Guidelines produced by AECOM.</p>
ETN10 Village Services and Facilities	This policy is consistent with criterion c of paragraph 93 which urges planning policies to 'guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs.	<p>There is no specific corresponding policy in the Adopted Local Plan that supports new community facilities in general terms.</p> <p>However Policy ETN10 identifies the services and facilities that exist in the village which would be covered by Adopted Local Plan Policy SCLP8.1 Community Assets and Facilities which seeks to resist</p>

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	<p>Policy ETN10 identifies the specific facilities that exist in the parish and provides qualified support for proposals which would enhance these facilities.</p>	<p>the loss of valued community facilities and assets subject to criteria governing viability and replacement facilities. In addition Policies SCLP8.2 and SCLP 8.3 cover specific matters relating to open space and allotments.</p>

5 d) Achieving Sustainable Development

5.1 The NPPF 2023 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 Easton 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 Easton 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. ETN9 Design Considerations which contributes to both social and environmental objectives.

5.5 The plan has been formulated with Sustainable Development at its heart. The embedded theme of sustainability is reflected in the overarching vision for the plan, which reflects the three distinct strands of sustainability – economic, environmental, and social.

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

Vision

Vision statement

Our vision for Easton is to have a thriving and vibrant community, accepting organic growth to its housing and population, whilst keeping its rural and historic character, its valued green spaces, natural environment, safe roads, and avoidance of light pollution for its natural dark skies.

This vision will be upheld by

- Ensuring that housing growth and population is organic and respects the environment and infrastructure to ensure that there is sustainable growth for the population.
- Address the lack of affordable properties for young people and families and to aspire to making available smaller 1–3-bedroom dwellings to buy or rent.
- Ensuring that the village remains a vibrant and friendly community and that existing facilities and services are protected and opportunities for new facilities are taken.
- Respecting the strong rural and historic character of the village, and to be mindful of the important views which should be respected and preserved where possible.
- Protection of Local Green Spaces and the natural environment.

- 5.6 The plan contains a set of ten area wide objectives which cover the entire Neighbourhood Area. The objectives are identified in order to deliver the vision. These have been refined over time through public consultation. The objectives are grouped in four area themes covering: Housing, Natural Environment, Historic Environment and Design, Infrastructure and Services.

Objectives

Housing

1. Ensure that Easton's housing growth is commensurate with the level of services and facilities in the village.
2. Deliver housing that is tailored to meet the needs of the community.

Natural Environment

3. Protect and enhance the landscape character of Easton

including green spaces, woodland and watercourses.

4. Protect important views and links to the wider countryside.
5. Deliver a measurable increase in biodiversity net gain and support the quality of natural habitats.

Historic Environment and Design

6. Conserve and enhance the village's heritage assets.
7. Ensure that new development is designed in a way that reflects local character.
8. Incorporate appropriate measures, to reduce the environmental impact of new development including those that preserve and protects Easton's dark skies.

Infrastructure and Services

9. Minimise the impact of development on the capacity of essential infrastructure and services.
10. Protect and improve the range of existing community facilities and services.

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 Easton.

5.8 This table below helps to demonstrate the Plan's comprehensive contribution to sustainable development.

NPPF Sustainable Development	Contribution through The Easton Neighbourhood Plan Objectives and Policies
<p>NPPF 2023 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-</p>	<p>Objective 9: <i>Minimise the impact of development on the capacity of essential infrastructure and services.</i></p> <p>Objective 10: <i>Protect and improve the range of existing community facilities and services.</i></p> <p>Policy ETN10 – Village Services and Facilities. This policy identifies the existing services and facilities in the parish and provides support for their future enhancement.</p>

NPPF Sustainable Development	Contribution through The Easton Neighbourhood Plan Objectives and Policies
<p>ordinating the provision of infrastructure.</p>	
<p>NNPF 2023 A social objective: to support strong, vibrant, and healthy communities by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful, and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and</p>	<p>Objective 1: <i>Ensure that Easton's housing growth is commensurate with the level of services and facilities in the village.</i></p> <p>Objective 2: <i>Deliver housing that is tailored to meet the needs of the community.</i></p> <p>Objective 10: <i>Protect and improve the range of existing community facilities and services.</i></p> <p>Policy ETN1 – Housing Development. This policy indicates how the housing requirement for the parish over the plan period will be met and sets out criteria for infill/windfall development as well as indicating that a specific allocation will need to be made. The policy provides support for new housing that is adaptable and accessible, and provides for the needs of families and older people.</p> <p>Policy ETN2 – Land south-west of Wickham Market Road. This policy make a specific housing allocation to meet the parish housing requirement. It provides detailed guidance on the development of the site.</p> <p>Policy ETN7 – Local Green Spaces. This policy identifies 5 Local Green Spaces for protection in line with the NPPF. Each space is 'demonstrably special' to the local community.</p> <p>Policy ETN9- Design Considerations. This policy sets out the specific design criteria that all new development in the parish over the plan period is expected to meet in order for new development to work towards the objective of creating beautiful and safe places.</p>

NPPF Sustainable Development	Contribution through The Easton Neighbourhood Plan Objectives and Policies
<p>NPPF 2023 An environmental role: 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.</p>	<p>Objective 3: <i>Protect and enhance the landscape character of Easton including green spaces, woodland and watercourses.</i></p> <p>Objective 4: <i>Protect important views and links to the wider countryside.</i></p> <p>Objective 5: <i>Deliver a measurable increase in biodiversity net gain and support the quality of natural habitats.</i></p> <p>Objective 6: <i>Conserve and enhance the village's heritage assets.</i></p> <p>Objective 7: <i>Ensure that new development is designed in a way that reflects local character</i></p> <p>Objective 8: <i>Incorporate appropriate measures, to reduce the environmental impact of new development including those that preserve and protects Easton's dark skies.</i></p> <p>Policy ETN3 – Dark skies. This policy provides support for proposals that are designed to limit the impact of light pollution on people, adjoining uses and wildlife.</p> <p>Policy ETN4 – Protection of Landscape Character and Important Views. This policy seeks to protect and enhance the identified important views of the parish together with the landscape, heritage and rural character of the Neighbourhood Area.</p> <p>Policy ETN5 – Recreational Disturbance Avoidance and Mitigation. This policy sets out the requirement for a financial contribution towards mitigation measures, to avoid adverse in combination recreational disturbance effects on European sites.</p> <p>Policy ETN6 – Biodiversity and Habitats. This policy introduces the requirement for new development to provide a Biodiversity Net Gain</p>

NPPF Sustainable Development	Contribution through The Easton Neighbourhood Plan Objectives and Policies
	<p>and identifies particular landscape or biodiversity features that new developments should be seeking to retain.</p> <p>Policy ETN7 – Local Green Spaces. This policy identifies 5 Local Green Spaces for protection in line with the NPPF.</p> <p>Policy ETN8 – Non-designated Heritage Assets. This policy identifies 26 potential Non-Designated Heritage Assets which are considered to be reflective of the local character of Easton.</p> <p>Policy ETN9- Design Considerations. This policy sets out the specific design criteria that all new development in the parish over the plan period is expected to meet. It includes guidance on design, layout, landscaping, parking, sustainable drainage, storage, sustainability measures, connections and rights of way.</p>

6 (f) Compatibility with EU Obligations

- 6.1 The statement below demonstrates how the Easton Neighbourhood Development Plan does not breach and is compatible with all relevant EU obligations. The United Kingdom formally left the European Union on the 31st of January 2020, which was followed by an 11-month transition period that expired on 31st December 2020. Basic Condition (f) of the Neighbourhood Plan Regulations 2012 requires that the making of a Neighbourhood Plan should not breach nor be incompatible with European Obligations. These include those relating to environmental matters such as Habitats and Species.
- 6.2 Strategic Environmental Assessment (SEA) and Habitats Regulation Assessment (HRA) are required to be carried out with regard to the Conservation Objectives of any European Protected Wildlife Sites deemed to be within a relative proximity of the Easton Neighbourhood Plan Area. The Neighbourhood Plan area falls within the Suffolk Coast Recreational Disturbance Avoidance and Mitigation Strategy Zone of Influence (ZOI).
- 6.3 East Suffolk District Council recommends that the Screening processes in respect of both SEA and HRA be undertaken prior to Pre-Submission stage.

Strategic Environmental Assessment (SEA)

- 6.4 Following a request from the Parish Council, East Suffolk undertook the SEA Screening process in the summer of 2021 and used the July 2021 version of the draft Plan. The key question in the SEA screening process for the Easton Neighbourhood Plan was whether the plan would be likely to have a significant effect on the environment. The relevant steps for determining this are set out in Annex II of the SEA Directive .A Screening Report was produced and the three Environmental Bodies (Natural England, Environment Agency and Historic England) were consulted.
- 6.5 East Suffolk Council issued its screening opinion in September 2021, which concluded that:
“The Draft Easton Neighbourhood Plan (July 2021) allocates land for new residential development of around 12 dwellings and makes an alteration to Settlement Boundary to incorporate the allocation. It is considered by East Suffolk Council that it is necessary for a Strategic Environmental Assessment to be undertaken to ensure compliance with EU obligations.”

- 6.6 All three environmental bodies agreed with the Screening conclusion that a full Strategic Environmental Assessment (SEA) was required.
- 6.7 The Parish Council commissioned consultants AECOM, through the Locality Technical Support package, to produce the SEA for the Neighbourhood Plan.
- 6.8 AECOM produced a Scoping Report for the SEA in January 2022, and this was the subject of consultation with the relevant bodies.
- 6.9 The Final SEA was produced in August 2022, which contained an appraisal of the policies of the emerging Neighbourhood Plan against sustainability objectives. The report concluded the following:
“The appraisal considers that the only significant effects likely to arise in the implementation of the ENP are positive in nature and relate to the SEA theme of community wellbeing. This reflects the vision of the ENP to have a “thriving and vibrant community”, and the policies linked to housing – including ensuring delivered housing meets the needs of the community.
Minor positive effects are expected for the SEA themes of biodiversity and geodiversity and landscape, reflecting the importance the ENP places on the natural environment and design-led development, as well as the avoidance and mitigation measures provided by the spatial strategy and plan policies.
Neutral effects are concluded in relation to the SEA themes of climate change, historic environment, and transportation, reflecting the plan's avoidance and mitigation measures that ensure new development does not cause significant deviations from the baseline conditions recorded.
Minor negative effects are predicted in relation to the SEA theme of land, soil, and water resources. This is due to the potential loss of best and most versatile land (BMV) and a greenfield site allocation that cannot be mitigated for.
The housing allocation will benefit the wider Housing Market Area in meeting locally identified housing needs and positive cumulative effects are considered likely in this respect. Biodiversity net gains are also considered likely to contribute towards achieving positive cumulative effects that enhance biodiversity connections within and beyond the district”

No recommendations were for changes to policy wording or direction were made in the final report.

Human Rights

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 of the draft Easton Neighbourhood Plan to ensure compliance with EU obligations. The Neighbourhood Plan is seeking to protect both Non-designated Heritage Assets and Local Green Spaces, some of which are in private ownership. Private owners have been notified of the contents of the plan and some have responded through the consultation processes.

Conclusion

6.11 The Easton Neighbourhood Plan therefore is compatible with EU Obligations and satisfies this basic condition.

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 The purpose of the Habitat Regulations Assessment (HRA) is therefore to ensure the protection of European (Natura 2000) sites. These sites are designed to form an ecologically coherent network of designated sites across the whole of Europe. Referred to as 'European Designated Sites,' Natura 2000 sites include Special Protection Areas (SPAs) and Special Areas for Conservation (SAC).
- 7.3 Habitats Regulation Assessment (HRA) is required to be carried out with regard to the Conservation Objectives of any European Protected Wildlife Sites deemed to be within a relative proximity of the Easton Neighbourhood Plan Area. The Neighbourhood Plan area falls within the Suffolk Coast Recreational Disturbance Avoidance and Mitigation Strategy Zone of Influence (ZOI). Natural England consider that additional residential development within the ZOI could have a detrimental impact on protected Habitat Sites due to an increase in residential disturbance. There are no designated sites within the Easton Neighbourhood Area.

Habitats Regulation Assessment (HRA)

- 7.4 The process for testing the plan against the relevant regulation is through Habitats Regulation Assessment (HRA). The HRA screening took place during the same timescale as the SEA Screening and was undertaken by East Suffolk Council. The HRA 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 Easton 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.

- 7.5 The East Suffolk screening for likely significant effects identified two policies (now ETN1 and ETN2) for more in-depth consideration within an Appropriate Assessment. Once a likely significant effect has been identified, the purpose of the Appropriate Assessment is to examine evidence and information in more detail to establish the nature and extent of the predicted impacts, in order to answer the question as to whether such impacts could lead to adverse effects on Habitat site integrity. Competent authorities should have enough evidence to satisfy themselves that there are feasible measures to prevent adverse effects.
- 7.6 Policies ETN1 and ETN2 (formerly ETN2 and ETN3) of the Easton Neighbourhood Plan were identified as having potential likely significant effects on Habitat Sites as the result of increased recreational disturbance. The impact of increased recreation arising from housing growth has already been recognised in Local Plan HRA work. This has led to collaborative working between the four Suffolk local planning authorities that lie within 13km of the coastal and heathland Habitat Sites. Taking a strategic approach to the Habitat Site mitigation has resulted in the development of the Suffolk Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS). The Strategy sets out a tariff-based approach to mitigating the additional recreation pressure risks associated with new residential development. The RAMS sets out an integrated suite of avoidance and mitigation measures that are supported by comprehensive evidence and experience gained from other Habitat Site mitigation strategies.
- 7.7 The East Suffolk Appropriate Assessment made the following observations:
“Policy SCLP12.1 of the Suffolk Coastal Local Plan provides an indicative minimum housing figure of 20 to the Easton Neighbourhood Plan area for the period 2018 – 2036. Policy ENT 2 of the Neighbourhood Plan sets out the overall development strategy for the Neighbourhood Plan area in relation to housing delivery and makes provision for around 44 dwellings through a combination of existing planning permissions and a single allocation at Wickham Market Road for residential development of around 12 dwellings (ETN 3). The site at ETN 3 falls within the 13km Zone of Influence (as set out in the Recreational Disturbance Avoidance and Mitigation Strategy) but is not considered to be in close proximity to any protected Habitat Sites (within 400m). As confirmed by the conclusions of the HRA of the Local Plan, the RAM Strategy is considered capable of accommodating and mitigating the impact of the levels of residential growth promoted through the Local Plan (which the Easton Neighbourhood Plan is considered to be in general conformity with.”

- 7.8 The assessment concluded that Policies ETN 2 and ETN 3 (now ETN1 and ETN2) of the Easton Neighbourhood Plan as identified through the HRA screening process as having a potential likely significant effect on protected Habitat Sites as the result of increased recreational disturbance. However, as confirmed by the conclusions of the Suffolk Coastal Local Plan HRA, the Suffolk Coast RAMS is considered to provide adequate measures to mitigate any impacts arising from planned housing growth including growth identified through neighbourhood plans. Paragraph 7.3 of the report concluded that :
“The Easton Neighbourhood plan includes adequate reference to the requirements of the Suffolk Coast RAMS, including Policy ETN 5 (now ETN3) which specifically covers RAMS. It is therefore concluded that the Easton Neighbourhood Plan will not lead to any adverse effects on protected Habitat Sites.”
- 7.9 East Suffolk consulted on this conclusion with Natural England in August 2021, who confirmed in their response dated 24th September that they concurred with the conclusion of the assessment, provided that all mitigation measures are appropriately secured in planning permissions given.

Conclusion

- 7.10 It is therefore considered by the Parish Council, as the relevant Qualifying Body, that the Neighbourhood Plan meets the additional prescribed basic condition.