

Westerfield

Neighbourhood Plan

2023 - 2036



BASIC CONDITIONS STATEMENT

WESTERFIELD PARISH COUNCIL
JULY 2024

Prepared for Westerfield Parish Council by
Places4People Planning Consultancy
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1 Introduction

1.1 As part of the formal submission of the Westerfield Neighbourhood Plan to East Suffolk Council, 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, East Suffolk Council, of the Westerfield Neighbourhood Plan under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 ("the Regulations"). Regulation 15 requires a submission neighbourhood development plan to be accompanied by *"a statement explaining how the proposed neighbourhood development plan meets the requirements of paragraph 8(2) of Schedule 4B to the 1990 Act"*.

1.2 This statement has been prepared in order to confirm compliance with these basic conditions as follows:

Section 2 identifies the legislative requirements for the 'basic conditions'

Section 3 identifies how the Plan Objectives and Policies are in general conformity with the National Planning Policy Framework and the Strategic Policies of the adopted Local Plan.

Sections 4 confirms that the neighbourhood plan is compatible with the Convention Rights.

It is considered that the Neighbourhood Plan complies with the requirements of the basic conditions as set out in Paragraph 8(1)(a) of Schedule 4B of the Act.

2. Legal Requirements

2.1 Paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990 (as amended) identifies the “Basic Conditions” that the neighbourhood plan must comply with.

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

- (a) whether the draft neighbourhood development order meets the basic conditions (see sub-paragraph (2)),
- (b) whether the draft order complies with the provision made by or under sections 61E(2), 61J and 61L,
- (c) whether any period specified under section 61L(2)(b) or (5) is appropriate,
- (d) whether the area for any referendum should extend beyond the neighbourhood area to which the draft order relates, and
- (e) such other matters as may be prescribed.

2.3 Paragraph 8 (2) states that a draft neighbourhood development plan meets the basic conditions if:

- (a) having regard to national policies and advice contained in guidance by the Secretary of State, it is appropriate to make the neighbourhood development plan,
- (d) the making of the neighbourhood development plan contributes to the achievement of sustainable development,
- (e) the making of the neighbourhood development plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area),
- (f) the making of the neighbourhood development plan does not breach, and is otherwise compatible with, retained EU obligations, and
- (g) prescribed conditions are met in relation to the neighbourhood development plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood development plan.

The requirements of Paragraph 8(2)(b), (2)(c) (3), (4) and (5) are not of relevance to the compliance with the basic conditions test.

2.4 Paragraph 8 (6) stipulates that the examiner is not to consider any matter that does not fall within subparagraph (1) apart from considering whether the draft neighbourhood plan is compatible with the Convention rights.

2.5 On 28 December 2018 the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018 came into force. Amongst other things, these Regulations amend the basic condition prescribed in Regulation 32 and Schedule 2 (Habitats) of the Neighbourhood Planning (General) Regulations 2012 (as amended) which stated:

- The making of the neighbourhood plan is not likely to have a significant effect on a European site or a European offshore marine site either alone or in combination with other plans or projects.

The Regulations substitute this with a new basic condition which states:

- The making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

Meeting the Legal Requirements

Compliance with the individual elements of the legal requirements is set out below.

Requirement	Interpretation	NP response
4B 8 (1)(a) Whether the Draft NP meets the Basic Conditions	This requires the NP to demonstrate compliance with paragraph 8(2) of Schedule 4B of the T&CP Act.	This is considered in detail in later sections of this Statement.
Whether the Draft Order Complies with Sections 38A & 38B of the Planning and 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 Westerfield 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 Westerfield, as designated by East Suffolk Council on 27 September 2021. The boundary of the Neighbourhood Area is shown in the NP.
	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 Town and Country Planning Act 1990 (as amended).
	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 East Suffolk Council on 27 September 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.
	Section 38B(3) If to any extent a policy set out in a Neighbourhood Development Plan conflicts with any other statement or	There are no conflicts within the NP

Requirement	Interpretation	NP response
	information in the plan, the conflict must be resolved in favour of the policy.	
	<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 (as amended).</p>	The Neighbourhood Planning (General) Regulations 2012 (as amended) have been used to inform the process of making the NP.
	<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>	A screening process was carried out by the local planning authority to determine whether a Strategic Environment Assessment (SEA) would be required in support of the Neighbourhood Plan. It was considered that the Westerfield Neighbourhood Plan will not have significant environmental effects and that no European sites would be affected by the policies described in the NP.
	Section 38B, which include paragraphs 38B(4)(c), 5 & 6,	The remaining requirements of Section 38B are not of relevance to this Basic Conditions Statement
4B 8 (1)(d) Whether The Referendum Should Extend Beyond The NP Area	This requires the examiner to consider whether the area for any referendum should extend beyond the NP Area to which it relates.	The NP relates solely to land that falls within the Parish of Westerfield.
4B 8 (1)(e) Other Matters 3.28.	This requires the examiner to consider such other matters as may be prescribed	There are no other prescribed matters.
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 HRA Screening Opinion concluded that an Appropriate Assessment was not required, as no European sites would be affected by the policies described in the NP.

3. Compliance with Basic Conditions

3.1 Paragraph 8(2) of Schedule 4B of the Town and Country Planning Act sets out the basic conditions that must be met by a draft Neighbourhood Plan. Subsections (a), (d), (e), (f), and (g) are of relevance to this statement. The Regulations state that the neighbourhood plan will have met the basic conditions if it:

- Has regard to national policies and advice contained in guidance issued by the Secretary of State;
- Contributes to the achievement of sustainable development;
- Is in general conformity with the strategic policies of the development plan for the area; and
- Is compatible with European Union (EU) and European Convention on Human Right (ECHR) obligations.

National Policy

3.2 The Westerfield Neighbourhood Development Plan must have appropriate regard to national policy. The following section describes how the Plan relates to the National Planning Policy Framework (NPPF) the latest version of which was published in December 2023. The December 2023 NPPF 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:

- "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;*
- a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed, 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*
- an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy."*

3.3 The NPPF contains thirteen topic-based chapters in which more detailed policy guidance is set out for plan making and decision taking. Table 1, below, identifies how the Plan meets the basic condition of having regard to the NPPF by assessing the Plan against the principles for each of the NPPF topic-based chapters.

Table 1 - Compatibility of the Plan's objectives and policies against the NPPF Core Principles

NPPF Topic	Westerfield NP Objectives	Westerfield NP Policies
Delivering a sufficient supply of homes	Not applicable to Westerfield	None
Building a strong, competitive economy	2. Allocate an area (ideally near the Village Hall and Church) as the focal point that supports the development of further services for village residents.	Policy WFD 8 – Parish Services and Facilities
Ensuring the vitality of town centres	2. Allocate an area (ideally near the Village Hall and Church) as the focal point that supports the development of further services for village residents.	Policy WFD 8 – Parish Services and Facilities
Promoting healthy and safe communities	2. Allocate an area (ideally near the Village Hall and Church) as the focal point that supports the development of further services for village residents. 4. Ensure residents can safely walk and cycle in and around Westerfield to enjoy the village and surrounding countryside, as well as providing access to nearby essential services such as schools.	Policy WFD 3 – Local Green Spaces Policy WFD6 - Design Considerations Policy WFD9 - Public Rights of Way
Promoting sustainable transport	4. Ensure residents can safely walk and cycle in and around Westerfield to enjoy the village and surrounding countryside, as well as providing access to nearby essential services such as schools.	Policy WFD6 - Design Considerations Policy WFD9 - Public Rights of Way
Supporting high quality communications	3. Specify design and development criteria for future developments which maintain the rural character and prevent the “suburbanisation” of the village.	Policy WFD6 - Design Considerations
Making effective use of land	1. Maintain Westerfield as a ‘small village’ (in planning terms) by creating a “green ring” to protect it from creeping developments both from outside and within the village.	Policy WFD 6 - Design Considerations
Achieving well-designed places	3. Specify design and development criteria for future developments which maintain the rural character and prevent the “suburbanisation” of the village.	Policy WFD 5- Protection of Trees, Hedgerows and other Natural Features Policy WFD 6 - Design Considerations Policy WFD 7 – Artificial Lighting
Protecting Green Belt land	Not applicable to Westerfield	None
Meeting the challenge of climate change, flooding and coastal change	4. Ensure Westerfield supports all our futures by reducing our environmental impact and improving	Policy WFD6 - Design Considerations

NPPF Topic	Westerfield NP Objectives	Westerfield NP Policies
	the Village environment for local wildlife (e.g., rewilding and green corridors through the village).	
Conserving and enhancing the natural environment	<p>1. Maintain Westerfield as a ‘small village’ (in planning terms) by creating a “green ring” to protect it from creeping developments both from outside and within the village.</p> <p>5. Ensure Westerfield supports all our futures by reducing our environmental impact and improving the Village environment for local wildlife (e.g., rewilding and green corridors through the village).</p>	<p>Policy WFD 1 -Landscape Buffer Policy WFD 2 – Sensitive Landscape Policy WFD 3 – Local Green Spaces Policy WFD 4 – Protection of Important Views Policy WFD 5- Protection of Trees, Hedgerows and other Natural Features Policy WFD 7 – Artificial Lighting Policy WFD9 - Public Rights of Way</p>
Conserving the historic environment	3. Specify design and development criteria for future developments which maintain the rural character and prevent the “suburbanisation” of the village.	<p>Policy WFD 1 -Landscape Buffer Policy WFD 2 – Sensitive Landscape Policy WFD 4 – Protection of Important Views</p>
Facilitating the sustainable use of minerals	Not applicable to Westerfield	None

How the purpose of the Neighbourhood Plan policies achieve sustainable development

3.4 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
WFD1	Identifies a landscape buffer to be protected from development.	Contributes to protecting and enhancing the natural environment, and to prevent settlement coalescence.
WFD2	Identifies an area of the landscape sensitivity within the Plan Area that should be protected.	Contributes to protecting and enhancing the natural environment, and to maintaining the landscape character of the settlement
WFD3	Identifies four local green spaces to be protected	Contributes to maintaining the natural and built character of the settlement.
WFD4	Identifies important views within the Plan Area that should be protected.	Contributes to protecting and enhancing the natural environment, and to maintaining the landscape character of the settlement
WFD5	Protects existing habitats	Contributes to protecting and enhancing the natural environment, including helping to improve biodiversity.
WFD6	Provides design criteria for new development	Contributes to ensuring that development proposals have a positive impact on the Neighbourhood Area.
WFD7	Provides criteria to assess impact of artificial lighting in new development	Contributes to ensuring that development proposals have a positive impact on the Neighbourhood Area.
WFD8	Supports the retention and improvement of community facilities and services in the parish.	Maintains existing parish services and reduce the need to travel.
WFD9	Promotes improvement to the public rights of way network.	Contributes to health and wellbeing.

General conformity with the strategic policies contained in the development plan

3.5 The Neighbourhood Plan must demonstrate that it is in general conformity with the strategic policies of development plan for the local authority area concerned. The development plan currently in force is the Suffolk Coastal Local Plan (September 2020) and the Suffolk Minerals and Waste Local Plan (2020).

3.6 The Government's Planning Practice Guidance states:

"Strategic policies will be different in each local planning authority area. When reaching a view on whether a policy is a strategic policy the following are useful considerations:

- whether the policy sets out an overarching direction or objective
- whether the policy seeks to shape the broad characteristics of development
- the scale at which the policy is intended to operate
- whether the policy sets a framework for decisions on how competing priorities should be balanced
- whether the policy sets a standard or other requirement that is essential to achieving the wider vision and aspirations in the Local Plan
- in the case of site allocations, whether bringing the site forward is central to achieving the vision and aspirations of the Local Plan
- whether the Local Plan identifies the policy as being strategic"

3.7 The Basic Conditions Statement assesses compatibility of the Neighbourhood Plan policies against the identified strategic policies that are considered relevant to the Neighbourhood Area. Those that are not considered relevant are listed in Appendix A of this statement.

3.8 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
SCLP3.1 Strategy for Growth	No specific policies apply	The local plan policy sets out the strategy for delivering growth across the area. The Neighbourhood Plan does not conflict with this approach.
SCLP3.2 Settlement Hierarchy	All policies apply	The local plan policy sets out hierarchy of settlements across the local plan area, Westerfield is designated as a small village. The Neighbourhood Plan policies support this approach.
SCLP3.3 Settlement Boundaries	All policies apply	The local plan policy generally supports development within the defined settlement boundaries and limits it outside those boundaries. The Neighbourhood Plan policies support this approach.
SCLP4.5 Economic Development in Rural Areas	Policy WFD6 - Design Considerations	The local plan policy supports the growth and diversification of the rural economy. The Neighbourhood Plan does not conflict with this policy.
SCLP4.6 Conversion and Replacement of Rural Buildings for Employment Use	Policy WFD6 - Design Considerations	The local plan policy supports proposals for the conversion or replacement of rural buildings for employment use. The Neighbourhood Plan does not conflict with this policy.
SCLP4.7 Farm Diversification	Policy WFD6 - Design Considerations	The local plan policy supports farm diversification that accords with a number of criteria. The Neighbourhood Plan does not conflict with this policy.
SCLP4.12 District and Local Centres and Local Shops	Policy WFD8 – Parish Services and Facilities	The local plan policy seeks to protect individual and groups of shops, services and community facilities. The Neighbourhood Plan supports this approach.
SCLP5.2 Housing Development in Small Villages	Policy WFD6 - Design Considerations	The local plan policy allows for residential development within defined settlement boundaries and infill. The Neighbourhood Plan does not conflict with this policy.
SCLP5.3 Housing Development in the Countryside	Policy WFD6 - Design Considerations	The local plan policy limits the type of housing that will be permitted in the countryside, Westerfield is listed as a small village. The Neighbourhood Plan does not conflict with this policy.

Local Plan Strategic Policy	Neighbourhood Plan Policy	Comment
SCLP5.4 Housing in Clusters in the Countryside	Policy WFD6 - Design Considerations	The local plan supports provision of new housing in clusters in the countryside. The Neighbourhood Plan does not conflict with this policy.
SCLP5.5 Conversions of Buildings in the Countryside for Housing	Policy WFD6 - Design Considerations	The local plan policy sets out when conversions would be permitted. The Neighbourhood Plan does not conflict with this policy.
SCLP5.6 Rural Workers Dwellings	Policy WFD6 - Design Considerations	The local plan policy sets out when permission would be granted for rural workers dwellings. The Neighbourhood Plan does not conflict with this policy.
SCLP5.7 Infill and Garden Development	Policy WFD6 - Design Considerations	The local plan supports infill development or residential development within existing gardens in certain circumstances. The Neighbourhood Plan supports this approach.
SCLP5.9 Self Build and Custom Build Housing	Policy WFD6 - Design Considerations	The local plan allows for self and custom build homes. The Neighbourhood Plan does not conflict with this policy.
SCLP5.10 Affordable Housing on Residential Developments	Policy WFD6 - Design Considerations	The local plan specifies the amounts and proportions of affordable dwellings on new residential developments. The Neighbourhood Plan does not conflict with this policy.
SCLP5.11 Affordable Housing on Exception Sites	Policy WFD1- Landscape Buffer Policy WFD2 -Sensitive Landscape Policy WFD4- Protection of Important Views Policy WFD6 - Design Considerations	The local plan policy identifies the circumstances where affordable housing will be permitted as an exception on sites adjoining or well related to the Settlement Boundary. The Neighbourhood Plan does not conflict with this policy.
SCLP5.13 Residential Annexes	Policy WFD6 - Design Considerations	The local plan policy allows for residential annexes subject to certain considerations. The Neighbourhood Plan does not conflict with this policy.
SCLP5.14 Extensions to Residential Curtilages	No specific policies apply	The local plan policy sets out when an extension to an existing curtilage would be permitted. The Neighbourhood Plan does not conflict with this policy.

Local Plan Strategic Policy	Neighbourhood Plan Policy	Comment
SCLP5.16 Residential caravans and Mobile Homes	Policy WFD6 - Design Considerations	The local plan policy allows for permanent residential caravans and mobile homes subject to certain considerations. The Neighbourhood Plan does not conflict with this policy.
SCLP5.17 Gypsies, Travellers and Travelling Showpeople	Policy WFD6 - Design Considerations	The local plan policy allows for new traveller accommodation to meet its identified needs. The Neighbourhood Plan does not conflict with this policy.
SCLP6.1 Tourism	No specific policies apply	The local plan policy sets out an approach to manage tourism across the area. The Neighbourhood Plan does not conflict with this policy.
SCLP6.4 Tourism Development outside of the AONB	Policy WFD1- Landscape Buffer Policy WFD2 -Sensitive Landscape Policy WFD4- Protection of Important Views Policy WFD6 - Design Considerations	The local plan policy provides a positive strategy for tourism development. The Neighbourhood Plan does not conflict with this policy.
SCLP6.5 New Tourist Accommodation	Policy WFD1- Landscape Buffer Policy WFD2 -Sensitive Landscape Policy WFD4- Protection of Important Views Policy WFD6 - Design Considerations	The local plan policy sets out where new tourism development would be acceptable. The Neighbourhood Plan does not conflict with this policy.
SCLP6.6 Existing Tourist Accommodation	No specific policies apply	The local plan seeks to protect existing provision. The Neighbourhood Plan does not conflict with this policy.
SCLP7.1 Sustainable Transport	Policy WFD6 - Design Considerations Policy WFD 9 – Public Rights of Way	The local plan policy covers a wide range of matters concerning measures that will encourage travel by sustainable means. The Neighbourhood Plan does not conflict with this policy.
SCLP7.2 Parking Proposals and Standards	Policy WFD6 - Design Considerations	The local plan policy addresses a range of matters relating to parking provision and standards. The Neighbourhood Plan supports this approach.

Local Plan Strategic Policy	Neighbourhood Plan Policy	Comment
SCLP8.1 Community Facilities and Assets	Policy WFD8 – Parish Services and Facilities	The local plan policy supports the provision of new community facilities and sets out criteria for considering proposals for the loss of existing facilities. The Neighbourhood Plan specifically identifies such facilities where the local plan policy will apply.
SCLP8.2 Open Space	Policy WFD3 – Local Green Space	The local plan policy supports the provision of open space and recreation facilities and sets out criteria for considering proposals for the loss of existing facilities. The Neighbourhood Plan does not conflict with this policy.
SCLP8.4 Digital Infrastructure	Policy WFD6 - Design Considerations	The local plan policy seeks to improve provision of digital infrastructure. The Neighbourhood Plan supports this approach.
SCLP9.1 Low Carbon and Renewable Energy	No specific policies apply	The local plan policy supports neighbourhood plans that identify suitable areas for renewable and low carbon energy development and generally supports such proposals subject to the application of criteria in the policy. The Neighbourhood Plan does not conflict with this policy.
SCLP9.2 Sustainable Construction	Policy WFD6 - Design Considerations	The local plan policy sets standards for sustainable construction in residential development. The Neighbourhood Plan does not conflict with this policy.
SCLP9.5 Flood Risk	Policy WFD6 - Design Considerations	The local plan policy sets out an approach for the consideration of development proposals in relation to flood risk. The Neighbourhood Plan does not conflict with this policy.
SCLP9.6 Sustainable Drainage Systems	Policy WFD6 - Design Considerations	The local plan policy requires development proposals to utilise sustainable drainage systems as appropriate to the proposal. The Neighbourhood Plan does not conflict with this policy.

Local Plan Strategic Policy	Neighbourhood Plan Policy	Comment
SCLP9.7 Holistic Water Management	Policy WFD6 - Design Considerations	The policy requires evidence to ensure water is available to support new development. The Neighbourhood Plan does not conflict with this policy.
SCLP10.1 Biodiversity and Geodiversity	Policy WFD1 – Landscape Buffer Policy WFD2 – Sensitive Landscape Policy WFD4 – Protection of Important Views Policy WFD5 - Protection of Trees, Hedgerows and Other Natural Features Policy WFD6 - Design Considerations	The comprehensive local plan policy supports development that maintains, restores or enhances green infrastructure, biodiversity and geodiversity. The Neighbourhood Plan policies support this approach.
SCLP10.3 Environmental Quality	Policy WFD6 - Design Considerations Policy WFD7- Artificial Lighting	The local plan policy seeks to protect environmental quality and minimise pollution. The Neighbourhood Plan policies support this approach.
SCLP10.4 Landscape Character	Policy WFD1 – Landscape Buffer Policy WFD2 – Sensitive Landscape Policy WFD3 – local Green Space Policy WFD4 – Protection of Important Views Policy WFD5 - Protection of Trees, Hedgerows and Other Natural Features Policy WFD6 - Design Considerations Policy WFD7- Artificial Lighting	The local plan policy seeks to protect and enhance the landscape quality and features of the area. The Neighbourhood Plan includes a number of policies with a strong focus on the environment and landscape character.
SCLP10.5 Settlement Coalescence	Policy WFD1 – Landscape Buffer	The local plan policy does not support development that will result in settlement coalescence and enables neighbourhood plans to include policies to address local issues of this nature. The Neighbourhood Plan does not conflict with this policy.
SCLP11.1 Design Quality	Policy WFD6 - Design Considerations	The local plan policy sets out criteria against which development proposals will be considered. The Neighbourhood Plan policy has been informed by locally specific design guidance prepared to ensure development recognises local characteristics and built form.

Local Plan Strategic Policy	Neighbourhood Plan Policy	Comment
SCLP11.2 Residential Amenity	Policy WFD6 - Design Considerations	The local plan identifies a number of matters to be taken into consideration in relation to the impact of new development on residential amenity. The Neighbourhood Plan policies support this approach.
SCLP11.3 Historic Environment	Policy WFD1- Landscape Buffer Policy WFD2 – Sensitive Landscape	The local plan policy seeks to conserve and enhance the historic environment including non-designated heritage assets. The Neighbourhood Plan does not identify non-designated heritage assets but includes various references to heritage assets.
SCLP11.4 Listed Buildings	Policy WFD1- Landscape Buffer Policy WFD2 – Sensitive Landscape	The local plan policy seeks to conserve and enhance the historic environment and specifies matters in relation to listed buildings. The Neighbourhood Plan includes references to designated heritage assets.
SCLP12.1 Neighbourhood Plans	All policies apply	The local plan policy supports the production of neighbourhood plans.
SCLP12.18 Strategy for Communities surrounding Ipswich	All policies apply	The local plan policy sets out a strategy for the communities around Ipswich to maintain healthy and vibrant communities. The Neighbourhood Plan policies support this approach.
SCLP12.23 Land off Lower road and Westerfield Road (Ipswich Garden Suburb country Park	Policy WFD3 – local Green Space Policy WFD4 – Protection of Important Views	The local plan identifies are area of land adjacent to the village to be used as public open space as part of a new country park, and will help maintain the separate identify of Westerfield from the new garden suburb development. The Neighbourhood Plan does not conflict with this policy.
SCLP12.34 Strategy for Rural Areas	All policies apply	The local plan policy supports and enhances the vitality of rural communities. The Neighbourhood Plan Area, is within the rural area being defined as a small village and the Neighbourhood Plan policies support this approach.

Local Plan Strategic Policy	Neighbourhood Plan Policy	Comment
SCLP12.67 Land South of Lower Road, Westerfield	Policy WFD6 - Design Considerations	The local plan allocates this site for approx., 20 dwellings and public open space. The Neighbourhood Plan does not conflict with this policy.

4. Compatibility with European Union Obligations and Human Rights

Environmental Impact and Habitat Regulations

- 4.1 Section 4B 8 (2)(f) states that a draft Neighbourhood Plan will meet the basic conditions if, the making of the Neighbourhood Plan does not breach, and is otherwise compatible with EU obligations and the making of the neighbourhood plan is not likely to have a significant effect on a European site or a European offshore marine site, either alone or in combination with other plans or projects.
- 4.2 European Union Directive 2001/42/EC requires a Strategic Environmental Assessment (SEA) to be undertaken for certain types of plan or programmes that would have a significant environmental effect. The Environmental Assessment of Plans and Programmes Regulations 2004 (the Regulations) that this is to be determined by a screening process which should use a specified set of criteria (set out in Schedule 1 of the Regulations). The results of this process must be set out in an SEA Screening Statement, which must be publicly available.
- 4.3 In accordance with Regulation 9 of the Regulations, as amended by the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018, Westerfield Parish Council requested East Suffolk Council, as the responsible body, to consider whether an environmental assessment of the emerging Neighbourhood Plan is required. East Suffolk Council subsequently made this determination following consultation with the statutory consultees. The determination is set out in reports "Strategic Environmental Assessment Screening Opinion Westerfield Neighbourhood Plan" and the "Habitats Regulations Assessment Screening Report of the Draft Westerfield Neighbourhood Plan" both dated July 2024. The relevant statutory bodies were consulted on these assessments and those that responded agreed with the conclusion that it was not necessary for further assessments.
- 4.4 In line with Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (as amended) these documents are also submitted to East Suffolk Council alongside the Neighbourhood Development Plan.

Human Rights

- 4.5 The public consultation process for the Westerfield Neighbourhood Plan has been wide and inclusive and has included direct engagement with the local community. The policies contained within the plan do not disadvantage any minority group or group with protected characteristics.
- 4.6 The overall purpose of the Neighbourhood Development Plan is to improve the quality of life for people living and working now and in the future in the parish from an environmental, social and economic point of view. The aims and policies in the Neighbourhood Plan have been formulated in response to local people's views and in the light of evidence gathered for the parish, and to meet the needs expressed and address the issues identified. To confirm that the Neighbourhood Plan does not have any unintended consequences for particular groups, the strategic aims and the policies in the Plan have been systematically scrutinised to ensure that they do not disadvantage any potentially vulnerable groups. The Equality Act 2010 places a duty on all public authorities in the exercise of their functions to have regard to the need to eliminate discrimination, to advance equality of opportunity, and to foster good relations between persons who have a "protected characteristic" and those who do not. "Protected characteristics" are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.
- 4.7 This section assesses the Submission Draft of the Neighbourhood Plan to ensure that Westerfield Parish Council is satisfying its statutory duties in this regard. An assessment has been made on whether 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 policies in the Neighbourhood Plan are provided, and their likely impact on persons with protected characteristics is assessed.

Impact of Westerfield Neighbourhood Development Plan Policies on Persons with Protected Characteristics

Policy	Purpose	Outcome
WFD1	Identifies a landscape buffer to be protected.	Reduces detrimental impact of development on the village and its environment. Neutral impact for persons with certain protected characteristics
WFD2	Identifies an area of the landscape sensitivity within the Plan Area that should be protected.	Reduces detrimental impact of development on the village and its environment. Neutral impact for persons with certain protected characteristics
WFD3	Identifies four local green spaces to be protected	Provides protection for important local green spaces to the benefit of the community. Broadly positive impact for persons with certain protected characteristics.
WFD4	Identifies important views within the Plan Area that should be protected.	Reduces detrimental impact of development in the parish and its environment. Neutral impact for persons with certain protected characteristics
WFD5	Protects existing habitats	Reduces detrimental impact of development in the parish and its environment. Neutral impact for persons with certain protected characteristics.
WFD6	Provides design criteria for new development	Ensures new development includes specific features. Broadly positive impact for persons with certain protected characteristics.
WFD7	Provides criteria to assess impact of artificial lighting in new development	Reduces detrimental impact of development on the village and its environment. Broadly positive impact for persons with certain protected characteristics.
WFD8	Supports the retention and improvement of community facilities and services in the parish.	Ensures that local facilities and services are retained and accessible for local residents. Broadly positive impact for persons with certain protected characteristics.
WFD9	Supports the retention and improvement of public rights of way in the parish.	Ensures existing routes are maintained and accessible for local residents. 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 Westerfield Neighbourhood Plan

The following policies in the Suffolk Coastal Local Plan are not relevant to Westerfield and have therefore not been assessed in this Basic Conditions Statement.

SCLP2.1 Growth in the Ipswich Strategic Planning Area

SCLP2.2 Strategic Infrastructure Priorities

SCLP2.3 Cross-boundary mitigation of effects on Protected Habitats

SCLP3.4 Proposals for Major Energy Infrastructure Projects

SCLP3.5 Infrastructure Provision

SCLP4.1 Existing Employment Areas

SCLP4.2 New Employment Development

SCLP4.3 Protection of Employment Premises

SCLP4.8 New Retail and Commercial Leisure Development

SCLP4.9 Development in Town Centres

SCLP4.10 Town Centre Environments

SCLP4.11 Retail and Commercial Leisure in Martlesham

SCLP5.1 Housing Development in Large Villages

SCLP5.2 Housing Development in Small Villages

SCLP5.12 Houses in Multiple Occupation

SCLP5.15 Residential Moorings, Jetties and Slipways

SCLP6.2 Tourism Destinations

SCLP6.3 Tourism Development within the AONB and Heritage Coast

SCLP8.3 Allotments

SCLP9.3 Coastal Change Management Area

SCLP9.4 Coastal Change Rollback or Relocation

SCLP10.2 Visitor Management at European Sites

SCLP11.5 Conservation Areas

SCLP11.6 Non-Designated Heritage Assets

SCLP11.7 Archaeology

SCLP11.8 Parks and Gardens of Historic or Landscape Interest

SCLP11.9 Newbourn – Former Land Settlement Association Holdings

Policies relating to Felixstowe SCLP 12.2 – 12.17

Policies relating to Communities surrounding Ipswich SCLP 12.19 – 12.22; 12.24-12.25

Policies relating to Strategy for Aldeburgh SCLP 12.26 – 12.27

Policies relating to Strategy for Saxmundham SCLP 12.28 – 12.30

Policies relating to Strategy for Woodbridge SCLP 12.31 – 12.33

Site Specific Policies SCLP 12.35 – 12,66; 12.68 - 12.71