

# Syderstone Neighbourhood Plan 2022-2038



## Statement of Basic Conditions

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Figure 1: Designated Area



## Section 1: Introduction

1. This Basic Conditions Statement has been prepared by [Collective Community Planning](#) on behalf of Syderstone Parish Council to accompany the Syderstone Neighbourhood Development Plan 2022-2038 (SNDP).

The purpose of the statement is to demonstrate that SNDP meets the legal requirements for a Neighbourhood Plan and the five basic conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990, as applied to Neighbourhood Development Plans by Section 38A of the Planning and Compulsory Purchase Act 2004.

2. The five basic conditions that a neighbourhood plan is expected to meet are:
  - a) Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood development plan;
  - b) The making of the neighbourhood development plan contributes to the achievement of sustainable development;
  - c) 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);
  - d) The making of the neighbourhood development plan does not breach, and is otherwise compatible with EU obligations; and
  - e) Prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the proposal for the plan.
3. There is one prescribed basic condition for Neighbourhood Development Plans, in relation to e) above, that *“the making of the neighbourhood development plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2010) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007), either alone or in combination with other plans or projects”*.
4. This statement confirms that:
  - The legal compliance requirements have been met (section 2);
  - SNDP has had due regard to national policies and advice contained in guidance issued by the Secretary of State (Section 3);
  - SNDP contributes towards sustainable development (Section 4);
  - SNDP is in general conformity with the strategic policies contained in the local plan for King’s Lynn & West Norfolk (Section 5).
  - SNDP does not breach and is otherwise compatible with EU obligations, and that its making is not likely to have a significant effect on the environment, either alone or in combination with other plans or projects (Section 6); and
  - SNDP meets the prescribed conditions for Neighbourhood Development Plans (Section 7).

## Section 2: Legal and Regulatory Compliance

5. SNDP has been prepared in accordance with The Neighbourhood Planning (General) Regulations 2012 (as amended). The plan also has regard to policies within the National Planning Policy Framework (NPPF) and guidance from the National Planning Practice Guidance (NPPG). The NPPG largely reflects the Regulations, providing further guidance as to how such requirements can be met.
6. SNDP is a neighbourhood plan for the parish of Syderstone within West Norfolk. The parish does not have an adopted neighbourhood plan. The qualifying body for SNDP is the Parish Council. SNDP includes a map of the designated area, see **Figure 1** of this report.
7. SNDP sets out policies in relation to development and the use of land in the designated neighbourhood area and which has been prepared in accordance with the statutory provisions. Initial consultations had due regard to guidance whilst the Regulation 14 (Pre-Submission) consultation was consistent with the specific regulatory requirements, as detailed in the Consultation Statement.
8. SNDP covers the period 2022-2038 which is in general conformity with the timeframes for the strategic policies in the relevant emerging Local Plan for King's Lynn and West Norfolk (2021-2040).
9. SNDP does not include provision of development types that are excluded development, such as minerals and waste matters, nationally significant infrastructure projects or other prescribed development under Section 61K of the Town and Country Planning Act 1990.

## Section 3: Due Regard to the NPPF

10. National planning policy is set out in the NPPF. The version relevant to this plan was published in December 2023. SNDP has been prepared with the policies and guidance contained within the NPPF at its core. The NPPF sets out more specific guidance on neighbourhood plans at Paragraphs 28 to 30, but there is relevant policy throughout other parts of the NPPF.
11. **Figure 2** demonstrates how SNDP has had regard to national policy by cross referencing its policies against national policy and guidance. It should be noted that the table is not exhaustive and there may be other cross-references that are not included.

**Figure 2: National Planning Policy Framework**

SNDP Policy	NPPF (and PPG) Cross References	Comments
General	<p><b>NPPF:</b></p> <ul style="list-style-type: none"> <li>- <b>Section 2 (Achieving sustainable development)</b> Para 8, Para 11</li> <li>- <b>Section 3 (Plan-making)</b> Para 15-16, Para 28,</li> <li>- <b>Section 5 (Delivering a sufficient supply of homes)</b> Para 60, 67</li> <li>- <b>Section 8 (Promoting healthy and safe communities)</b> Para 96, Para 104-107</li> <li>- <b>Section 9 (Promoting sustainable transport)</b> Para 108-110,</li> <li>- <b>Section 12 (Achieving well-designed places)</b> Para 131-132, 136, 139</li> <li>- <b>Section 14 (Meeting the challenge of climate change, flooding, and coastal change)</b> Para 157, 158, 165</li> <li>- <b>Section 15 (Conserving and enhancing the natural environment)</b> Para 180-182</li> </ul> <p><b>PPG:</b></p> <ul style="list-style-type: none"> <li>- <b>Healthy &amp; Safe Communities-</b> PPG Paragraph: 001 Reference ID:53-001-20190722</li> <li>- <b>Climate Change</b> PPG Paragraph: 001 Reference ID: 6-001-20140306</li> <li>- <b>Green Infrastructure-</b> Paragraph: 005 Reference ID: 8-005-20190721, Paragraph: 006 Reference ID: 8-006-20190721</li> <li>- <b>Housing needs of different groups:</b> PPG Paragraph: 001</li> </ul>	<p>SNDP will help to deliver sustainable growth that meets the economic, social, and environmental objectives. It provides a suite of policies that will shape and direct development outside of the current strategic policies set out in the prevailing local plan. It supports these strategic policies as shown in <b>Figure 3</b>.</p> <p>SNDP provides a framework for addressing housing needs such as housing mix and other economic, social, and environmental priorities, and has been a platform for local people to shape their surroundings. It has been prepared positively and has engaged the community and other consultees, as set out in the Consultation Statement.</p> <p>SNDP includes non-strategic policies for housing, design codes and principles, conserving and enhancing the natural environment, community facilities and sustainable transport related matters.</p> <p>It is supported by a proportionate evidence base which includes the Evidence Base Paper, Syderstone Housing Needs Assessment 2024, Syderstone’s Guidance and Codes Document 2024, Local Green Space Assessment, Important Key Views Assessment and a Green Ecological Corridors Assessment. Key aspects of this evidence are presented in the supporting text of the policies.</p> <p>Some of the policies encompass design considerations and codes, with the emphasis on achieving high quality design that is in keeping with local</p>

SNDP Policy	NPPF (and PPG) Cross References	Comments
	Reference ID: 67-001-20190722 - <b>Design: process and tools-</b> PPG Paragraph: 002 Reference ID: 26-002-20191001	character. Policies 1 to 3 focus on design and Appendix B is the AECOM Design Checklist which can be found in the main NDP submission document.
Policy 1: Syderstone's General Design Codes	<b>NPPF</b> - <b>Section 3- Plan making</b> Para 28 - <b>Section 12 Achieving well-designed places</b> , para 131-134  <b>Design: process and tools-</b> PPG Paragraph: 002 Reference ID: 26-002-20191001	<p>This policy encourages all development proposals to be designed to a high standard and be in conformity with the design codes and guidance document 2024. It sets out detailed clauses and the design aspects which development should have regard to, including materials, roofline, and boundary treatments.</p> <p>The policy conforms to the NPPF and PPG by setting out as listed above a clear design vision to meet local aspirations for the SNDP and the expectation applications are to follow. The NPPF (December 2023) Para 134 states that design codes can be prepared at a neighbourhood scale and can carry weight in design making. They should be produced either as part of a plan or as supplementary planning documents.</p>
Policy 2: Design (Character Area 1- Historic Core)	<b>NPPF</b> - <b>Section 3- Plan making</b> Para 28 - <b>Section 12 Achieving well-designed places</b> , para 131-134  <b>Design: process and tools-</b> PPG Paragraph: 002 Reference ID: 26-002-20191001	<p>This design policy focuses on Character Area 1 as set out in the Design Codes Document 2024. Development proposals sited within the Historic Core Character Area (CA1) should have regard to and provide evidence in their application, such as through a Design, Access and Planning Statement, that they have considered the relevant 4 Design Codes in this document.</p> <p>The policy conforms to the NPPF and PPG by setting out a clear design vision to meet local aspirations for the SNDP. The NPPF (December 2023) Para 134 states that design codes can</p>



SNDP Policy	NPPF (and PPG) Cross References	Comments
		<p>be prepared at a neighbourhood scale and can carry weight in design making. They should be produced either as part of a plan or as supplementary planning documents.</p>
<p>Policy 3: Design (Character Area 2- Post War Development )</p>	<p><b>NPPF</b></p> <ul style="list-style-type: none"> <li>- <b>Section 3- Plan making</b> Para 28</li> <li>- <b>Section 12 Achieving well-designed places</b>, para 131-134</li> </ul> <p><b>Design: process and tools-</b> PPG Paragraph: 002 Reference ID: 26-002-20191001</p>	<p>This design policy focuses on Character Area 2 as set out in the Design Codes Document 2024. Development proposals sited within the Post War Development Character Area (CA2) should have regard to and provide evidence in their application, such as through a Design, Access and Planning Statement, that they have considered the relevant 3 Design Codes in this document.</p> <p>The policy conforms to the NPPF and PPG by setting out a clear design vision to meet local aspirations for the SNDP. The NPPF (December 2023) Para 134 states that design codes can be prepared at a neighbourhood scale and can carry weight in design making. They should be produced either as part of a plan or as supplementary planning documents.</p>
<p>Policy 4: Housing</p>	<p><b>NPPF</b></p> <ul style="list-style-type: none"> <li>- Para 8, Para 11,</li> <li>- <b>Section 5 (Delivering a sufficient supply of homes)</b> Para 60, 62, 63, 64</li> </ul> <p><b>Housing needs of different groups:</b> PPG Paragraph: 001 Reference ID: 67-001-20190722</p>	<p>This policy covers housing mix, affordable housing and specialist housing for older people.</p> <p>For housing mix, it will help ensure future development meets the needs of the community and will provide a smaller number of bedrooms to help enable residents to get on the housing ladder such as younger people. The policy follows the guidance proposals taken from the Housing Needs Assessment 2024 to help achieve a balanced mix of housing to meet the needs of the community.</p> <p>For affordable housing, this part of the policy follows the guidance proposals</p>



SNDP Policy	NPPF (and PPG) Cross References	Comments
		<p>taken from the Housing Needs Assessment 2024 including providing a local connection test for First Homes.</p> <p>For specialist housing for older people, this part of the policy states that proposals for specialist housing for older people proposals should have due regard to the best available and proportionate evidence such as The Syderstone Housing Needs Assessment (2024).</p> <p>This policy conforms with the NPPF Para 60 and 63 which sets out how planning policies should reflect the different needs regarding size, type, and tenure in the community.</p>
<p>Policy 5: Biodiversity and Green Ecological Corridors</p>	<p><b>NPPF</b></p> <ul style="list-style-type: none"> <li>• <b>Para 8c</b></li> <li>• <b>Section 11 Making effective use of land</b> Para 120, 123</li> <li>• <b>Section 12 Achieving well-designed places,</b> Para 136</li> <li>• <b>Section 15 Conserving and enhancing the natural environment</b> Para 180, 185</li> </ul> <p><b>Climate Change</b> PPG Paragraph: 001 Reference ID: 6-001-20140306</p> <p><b>Green Infrastructure-</b> Paragraph: 005 Reference ID: 8-005-20190721, Paragraph: 006 Reference ID: 8-006-20190721</p> <p><b>Natural Environment</b> Para: 020, 021, 022 Reference ID: 8-020-20190721</p>	<p>The policy ensures importance is given to areas of wildlife such as Syderstone Common Reserve (SSSI), Syderstone Common County Wildlife Site (CWS), areas occupied by Priority Habitats and Species including the Natterjack Toad.</p> <p>The policy details that developments where possible within or adjacent to an existing green corridor should use features to enhance the area by incorporating wildlife friendly design features and habitat connectivity.</p> <p>The policy will support the health and resilience of wildlife, which is essential in maintaining and enhancing its ability to provide the wealth of ecosystem services, such as water retention and climate regulation, which we rely on. Green infrastructure is also vital to human health and wellbeing and a crucial element of adapting to climate change.</p>

SNDP Policy	NPPF (and PPG) Cross References	Comments
		<p>The policy conforms to the NPPF and PPG since the NPPF (December 2023) Para 180 states planning policies should contribute to protecting and enhancing sites of biodiversity value and minimising impacts on and providing net gains for biodiversity. Para 185 also goes further to say that plans must identify and map local wildlife rich habitats and wider ecological networks for biodiversity. Promoting the enhancement or restoration of priority habitats, ecological networks and species also allows opportunities for securing measurable net gain for biodiversity (Para 185b).</p> <p>The PPG states how plans can be used to set out a suitable approach to delivering biodiversity net gain at a local level.</p>
<p>Policy 6: Trees and Hedgerows</p>	<p><b>NPPF</b> <b>Para 8c</b> <b>Section 12 Achieving well-designed and beautiful places</b> Para 136 <b>Section 15 Conserving and enhancing the natural environment</b> Para 180</p>	<p>The policy sets out that details proposals have to consider for existing and replacement trees and hedgerows replacement and new trees. This includes favouring native species and replacing trees on a 2 to 1 ratio requirement within the public realm.</p> <p>The policy conforms to the NPPF since the NPPF (December 2023) makes note how trees make an important contribution to the character and quality of environments and can help mitigate and adapt to climate change. Para 136 states how planning policies should take opportunities to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly planted trees, and that existing trees are retained wherever possible. Para</p>

SNDP Policy	NPPF (and PPG) Cross References	Comments
		180 states planning policies should recognise the intrinsic character of the countryside and wider benefits including trees and woodland.
Policy 7: Local Green Spaces	<p><b>NPPF</b> <b>Para 8c</b></p> <ul style="list-style-type: none"> <li>• <b>Section 2 Achieving sustainable development</b> Para 8</li> <li>• <b>Section 8 Promoting healthy and safe communities</b> Paras 105-107</li> <li>• <b>Section 13 Protecting Green Belt land</b></li> </ul> <p><b>Green Infrastructure PPG</b> Paragraph: 005 Reference ID: 8-005-20190721</p> <p><b>Local Green Space PPG</b> paragraph: 006, 009, 013 to 017 Reference ID: 37-006-20140306, Para 009 Reference ID: 37-009-20140306, Para 013 Reference ID: 37-013-20140306</p>	<p>This policy supports the protection of local green spaces and designates these in accordance with NPPF requirements. The spaces designated will help protect and enhance the natural and built environment.</p> <p>A robust process was undertaken to designate the areas, following the NPPF, PPG and Locality guidance on understanding the types of greenspaces which would be suitable for recreational, natural, or historic reasons.</p> <p>Potential sites were identified by residents in initial engagement, explored further by the steering group and consulted on further at Regulation 14 in discussion with the landowners, the community, and stakeholders. All these green spaces were considered in close proximity to the village and the community it serves.</p>
Policy 8: Important Local Views	<p><b>NPPF</b></p> <ul style="list-style-type: none"> <li>- <b>Section 3 Plan-making</b> Para 28</li> <li>- <b>Section 12 Achieving well-designed places</b> Para 131-132, 135</li> <li>- <b>Section 15 Conserving and enhancing the natural environment</b> Para 180, 191</li> </ul> <p><b>PPG Paragraph: 036 Reference ID: 8-036-20190721</b></p>	<p>In the NPPF and PPG the intrinsic character and beauty of the countryside is recognised and the PPG states that it is important to identify policies where landscapes have a particular local value. Planning policies and decisions should ensure that developments will be sympathetic to the local character including the built environment and landscape setting. This policy conforms with the NPPF and PPG by protecting important local views and ensuring proposals are expected to demonstrate that they are designed and sited to avoid harm to the</p>

SNDP Policy	NPPF (and PPG) Cross References	Comments
		<p>identified important views and the landscape setting they sit within.</p> <p>Plans and design policies should be developed with local communities so they reflect local aspirations and neighbourhood plan groups play an important role in identifying special qualities in their areas to reflect what they would expect from developments (NPPF Para 132). This policy conforms with the NPPF by doing the above, the community chose these local views as part of initial engagement, the views were explored by the steering group and consulted upon again at Regulation 14.</p>
Policy 9: Dark Skies	<p>NPPF <b>Section 15 Conserving and enhancing the natural environment</b> Para 191</p> <p><b>PPG Light Pollution</b> Para 001 Reference ID: 31-001-20191101, Para 005</p>	<p>This policy addresses the presumption against unnecessary lighting that will result in the loss of night-time dark skies. It keeps in mind the need for footway lighting for security and safety reasons.</p> <p>It conforms with the NPPF which sets out that policies should ensure new development limits the impact of light pollution within dark landscapes.</p>
Policy 10: Community Facilities and Employment Services	<p>NPPF <b>Section 8 Promoting healthy and safe communities</b> Para 96, 97</p>	<p>This policy protects one community facility within the parish called Amy Robsart Hall (The Village Hall). It conforms with the NPPF which states that planning policies should guard against the unnecessary loss of valued facilities and services particularly where it would reduce the community's ability to meet its day-to-day needs.</p> <p>Thus policy also supports any proposals regarding the expansion or creation of new employment services at Syderstone Business Park as long as they conform to other relevant policies. It also will strongly support</p>



SNDP Policy	NPPF (and PPG) Cross References	Comments
		<p>any proposals that will bring employment and spaces for the community to gather in the village.</p> <p>The NPPF Para 88 states that planning policies should enable the sustainable growth and expansion of all types of businesses in rural areas both through conversion of existing buildings and well-designed new buildings.</p>
<p>Policy 11: Walking and Access</p>	<p>NPPF <b>Section 9 Promoting sustainable transport</b> Para 108</p>	<p>This policy sets out that any net new development, excluding householder applications, within the existing footway network, or adjacent, will be expected to provide new or improved links to the network which are safe and accessible for all (including disabled, pram and pushbike users).</p> <p>As well as this, active travel routes should deliver improved accessibility and connectivity including using specific materials like non-slip surfaces.</p> <p>The NPPF Para 108 states how transport issues should be considered from the earliest stages of plan making so that for example 108c opportunities to promote walking, cycling and public transport use are identified and pursued. The policy conforms with the NPPF by setting out expectations to improve accessibility to walking and active travel links in the parish.</p>

## Section 4: Sustainable Development

12. A widely accepted definition of sustainable development is ‘development that meets the needs of the present without compromising the ability of future generations to meet their own need’<sup>1</sup>. It is about ensuring better quality of life for everyone, now and for generations to come. In doing so, social, environmental, and economic issues and challenges should be considered in an integrated and balanced way.
13. This is captured by Paragraph 8 of the NPPF in particular, which summarises the three interdependent objectives. The NPPF as a whole represents sustainable development, and **Figure 2** sets out that SNDP is very consistent with the NPPF. It should therefore be the case that SNDP will help to deliver sustainable development in Syderstone through delivering the economic, social, and environmental objectives.
14. SNDP is positively prepared, reflecting the presumption in the NPPF in favour of sustainable development, but it seeks to manage development pressures to ensure that, in addition to economic and growth considerations, reasonable environmental and social considerations are taken into account.

## Section 5: General Conformity with Local Strategic Policies

15. It is a requirement that SNDP is in general conformity with the relevant local strategic policies. The Guidance on Neighbourhood Planning sets out what is meant by general conformity. When considering whether a policy is in general conformity, a qualifying body, independent examiner, or local planning authority, should consider the following:
- Whether the neighbourhood plan policy of development proposal supports and upholds the general principle that the strategic policy is concerned with;
  - The degree, if any, of conflict between the draft neighbourhood plan policy or development proposal and the strategic policy;
  - Whether the draft neighbourhood plan policy provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy;
  - The rationale for the approach taken in the draft neighbourhood plan or Order and the evidence to justify that approach.
16. The SNDP area falls within one local authority area, the Borough Council of King’s Lynn and West Norfolk (BCKLWN). The local plan for this area contains the strategic policies of relevance for this neighbourhood plan, these are:
- Core Strategy (2011-2026)
  - Site Allocations and Development Management Policies Document (2016-2026)

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<sup>1</sup> United Nations: Report of the World Commission on Environment and Development: Our Common Future, March 1987

17. The BCKLWN has an emerging local plan and covers the time period 2016-2040. The emerging local plan is at an advanced stage and is planning to be adopted spring 2025.
18. **Figure 3** reviews each policy in the submitted SNDP with respect to the current strategic local plan policies.

**Figure 3: General Conformity with Local Strategic Policies (and non-strategic)**

SNDP Policy	Local Plan <ul style="list-style-type: none"> <li>• Core Strategy (CS) (2011)</li> <li>• Site Allocations and Development Management Policies Document (SADMP)(2016)</li> </ul>	Comments
Policy 1: Syderstone's General Design Codes	<ul style="list-style-type: none"> <li>• CS06 Development in Rural Areas</li> <li>• CS08 Sustainable Development</li> <li>• CS12- Environmental Assets</li> <li>• CS14- Infrastructure Provision</li> <li>• DM15- Environment, Design and Amenity</li> </ul>	High standards of design are required through Policy 1. This is in conformity with the local plan design policies which promote the same principles around high-quality design including appropriate use of scale, height, materials, and layout.
Policy 2: Design (Character Area 1- Historic Core)	<ul style="list-style-type: none"> <li>• CS06 Development in Rural Areas</li> <li>• CS08 Sustainable Development</li> <li>• DM15- Environment, Design and Amenity</li> </ul>	High standards of design are required through Policy 2 in line with the specific Character Area set out in the Syderstone Design Codes Document. This is in conformity with the local plan design policies which promote the same principles around high-quality design including appropriate use of scale, height, materials, and layout.
Policy 3: Design (Character Area 2- Post War Development)	<ul style="list-style-type: none"> <li>• CS06 Development in Rural Areas</li> <li>• CS08 Sustainable Development</li> <li>• DM15- Environment, Design and Amenity</li> </ul>	High standards of design are required through Policy 3 in line with the specific Character Area set out in the Syderstone Design Codes Document. This is in conformity with the local plan design policies which promote the same principles around high-quality design including appropriate use of scale, height, materials, and layout.
Policy 4: Housing	<ul style="list-style-type: none"> <li>• CS01 Spatial Strategy</li> <li>• CS02 Settlement Hierarchy</li> <li>• CS06 Development in Rural Areas</li> <li>• CS09 Housing Distribution</li> </ul>	Regarding Housing Mix, Policy 4 has additional local detail that will help ensure housing development meets the needs of the community within our smaller village or hamlet (CS02). This is in conformity with local plan policies such as CS09 which require that the type, size, and tenure of new housing



SNDP Policy	Local Plan <ul style="list-style-type: none"> <li>• Core Strategy (CS) (2011)</li> <li>• Site Allocations and Development Management Policies Document (SADMP)(2016)</li> </ul>	Comments
	<ul style="list-style-type: none"> <li>• CS13 Community and Culture</li> <li>• DM3- Development in the Smaller Villages and Hamlets</li> </ul>	<p>should reflect the needs of the area, based on the most up to date Housing Needs Assessment covering Syderstone.</p> <p>Regarding Affordable Housing, Policy 4 focuses further on CS06 and CS09 to ensure affordable housing is provided in rural areas and following the most up to date Housing Needs Assessment for the area.</p>
Policy 5: Biodiversity and Green Ecological Corridors	<ul style="list-style-type: none"> <li>• CS08 Sustainable Development</li> <li>• CS14- Infrastructure Provision</li> <li>• DM19 Green Infrastructure/Habitats Monitoring and Mitigation</li> </ul>	Policy 5 conforms with the relevant policies in the Local Plan, which requires the protection of environmental assets, enhances links between areas of biodiversity importance and creation of networks of habitats and green infrastructure.
Policy 6: Trees and Hedgerows	<ul style="list-style-type: none"> <li>• CS08 Sustainable Development</li> </ul>	Policy 6 conforms with the relevant policy in the Local Plan, which requires the protection of environmental assets.
Policy 7: Local Green Spaces	<ul style="list-style-type: none"> <li>• CS08 Sustainable Development</li> <li>• DM22- Protection of Local Open Space</li> </ul>	Policy 7 designates Local Green Spaces to be protected. This is in conformity with CS08 and DM22 of the Local Plan which seek to protect areas of open space, which is valued for reasons such as landscape character, recreational value, biodiversity, cultural value.
Policy 8: Important Local Views	<ul style="list-style-type: none"> <li>• CS08 Sustainable Development</li> <li>• DM15- Environment, Design and Amenity</li> </ul>	Policy 8 identifies key views to be protected, with proposals required to demonstrate they are sited and designed to avoid or mitigate harm to the views. The policy conforms with DM15 by protecting environmental

SNDP Policy	Local Plan <ul style="list-style-type: none"> <li>• Core Strategy (CS) (2011)</li> <li>• Site Allocations and Development Management Policies Document (SADMP)(2016)</li> </ul>	Comments
		assets, the landscape value and having regard to visual impact.
Policy 9: Dark Skies	<ul style="list-style-type: none"> <li>• CS08 Sustainable Development</li> <li>• DM15- Environment, Design and Amenity</li> </ul>	Policy 8 addresses the presumption against unnecessary lighting resulting to the loss of night-time dark skies in this rural character area. It keeps in mind the need for footway lighting for security and safety reasons with the landscape in mind. It conforms with the Local Plan which encourages and supports proposals to protect the landscape character and distinctive features.
Policy 10: Community Facilities and Employment Services	<ul style="list-style-type: none"> <li>• CS06- Rural Areas</li> <li>• CS10- The Economy</li> <li>• DM9- Community facilities</li> </ul>	<p>Policy 10 provides local detail which adds to Policy DM9. It states the community facility in Syderstone the parish wishes to protect.</p> <p>This policy also supports any proposals regarding the expansion or creation of new employment services at Syderstone Business Park as long as they conform to other relevant policies. It also will strongly support any proposals that will bring employment and spaces for the community to gather in the village.</p> <p>This policy conforms with the Local Plan since the strategy for rural areas in CS06 is to promote sustainable communities and sustainable patterns of development to ensure strong, diverse, economic activity.</p>
Policy 11: Walking and Access	<ul style="list-style-type: none"> <li>• CS11- Transportation</li> </ul>	Policy 10 sets out that any net new development, excluding householder applications, within the existing footway network, or adjacent, will be expected to provide new or improved

SNDP Policy	Local Plan <ul style="list-style-type: none"> <li>• Core Strategy (CS) (2011)</li> <li>• Site Allocations and Development Management Policies Document (SADMP)(2016)</li> </ul>	Comments
		<p>links to the network which are safe and accessible for all (including disabled, pram and pushbike users).</p> <p>As well as this active travel routes should deliver improved accessibility and connectivity including using specific materials like non-slip surfaces.</p> <p>The policy generally conforms with the Local Plan Strategic Policy CS11 which states near the end of the policy that development proposals should demonstrate that they have been designed to provide for safe and convenient access for all modes.</p>

### Section 6: EU Obligations

19. A Screening Opinion request was made to BCKLWN in mid-2024 as to whether Strategic Environmental Assessment (SEA) and Habitat Regulation Assessment (HRA) (see **section 7**) were required. This was supported by a short report and assessment. In this the SNDP was assessed for likely significant effects upon the environment in light of the plan characteristics, the effects and area characteristics, including the environmental areas listed under Schedule 2 Part 6 of the EA Regulations (2004). The assessment recommended that an SEA and HRA would not be required. This was supported by BCKWLN (as the lead planning authority) who undertook a screening exercise in consultation with the Statutory Environmental Bodies (SEBs) in September to October 2024. The SEBs agreed that an SEA was not required and the BCKWLN issued their determination statement on 31 October 2024.

20. **Section 7** of this report considers the requirement for Appropriate Assessment.

21. SNDP has regard to and is compatible with the fundamental rights and freedoms guaranteed under the European Convention on Human Rights, transposed into UK law by the Human Rights Act 1998. SNDP is highly likely to be compatible because it has been prepared within the existing framework of statute, and national planning policy and guidance. In accordance with established processes, its preparation has included consultation with the local community.

22. In conclusion, the SNDP does not breach and is compatible with EU Regulations including:

- Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment (often referred to as the Strategic Environmental Assessment (SEA) Directive);
- Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment (often referred to as the Environmental Impact Assessment (EIA) Directive);
- Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora and Directive 2009/147/EC on the conservation of wild birds (often referred to as the Habitats and Wild Birds Directives respectively). These aim to protect and improve Europe's most important habitats and species. They may be of relevance to both neighbourhood plans or Orders; and
- Other European directives, such as the Waste Framework Directive (2008/98/EC), Air Quality Directive (2008/50/EC) or the Water Framework Directive (2000/60/EC) may apply to the particular circumstances of a draft neighbourhood plan or Order.

#### Section 7: Prescribed Conditions

23. There is one prescribed condition for Neighbourhood Development Plans identified in Schedule 2 of the Neighbourhood Planning (General) Regulations 2012:

*“The making of the neighbourhood development plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2010) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007), either alone or in combination with other plans or projects”.*

24. A Habitats Regulations Assessment (HRA) considers the implications of a plan or project for European wildlife sites, in terms of any possible harm to the habitats and species that form an interest feature of the European sites in close proximity to the proposed plan or project, which occur as a result of the plan or project being put in place, approved, or authorised. Where likely significant effects are identified, alternative options should be examined to avoid any potential damaging effects.

25. HRA is a step-by-step decision-making process. It can be broken down into four stages. Screening; Appropriate Assessment; Alternative solutions; imperative reasons of overriding public interest and compensatory measures.

26. A screening assessment was undertaken on SNDP (2024) to determine whether it will have 'likely significant effects' upon internationally designated habitat sites. This was **screened out** as not having any likely significant effects.