

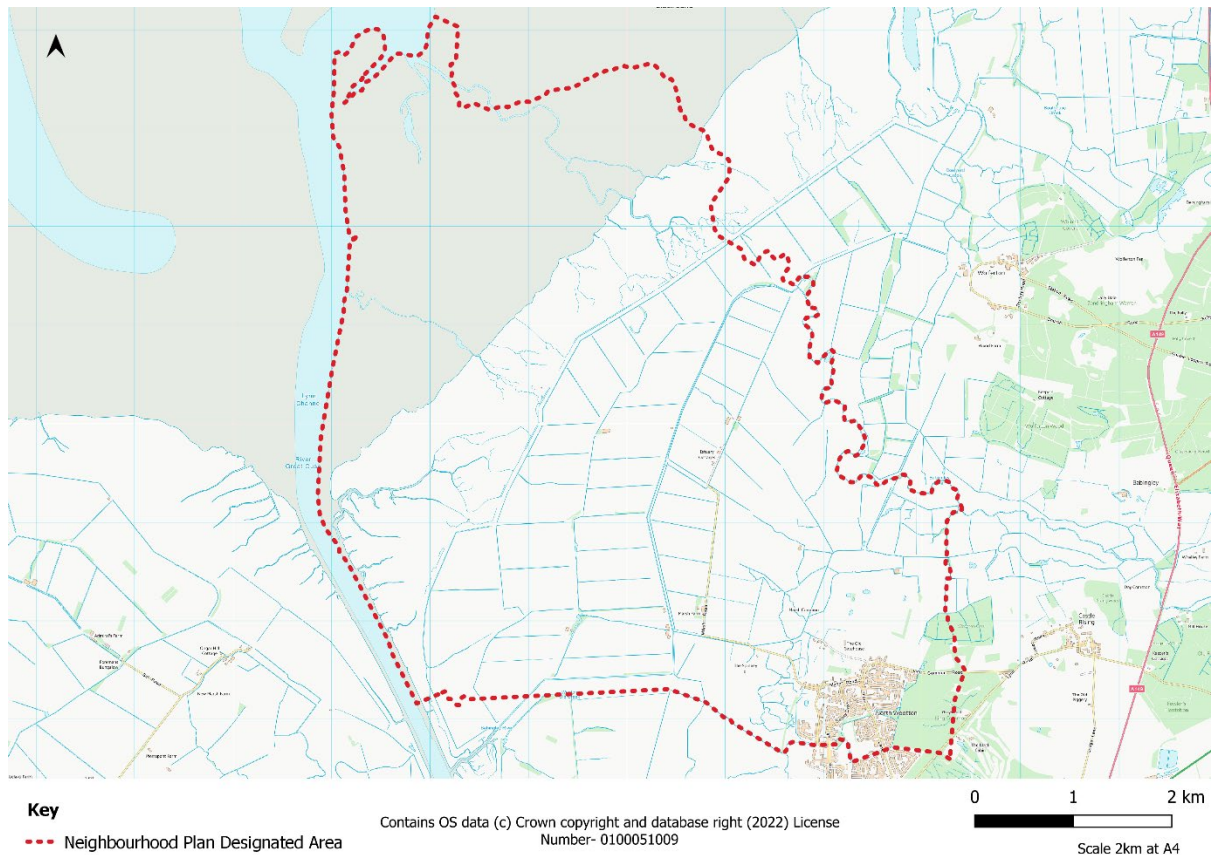
**North Wootton Neighbourhood Plan  
2022-2039  
Statement of Basic Conditions  
August 2023**



cc-by-sa/2.0 North Wootton village sign by Adrian S. Zveledegaraph.0rduuk.0/6804761

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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 North Wootton Parish Council to accompany the North Wootton Neighbourhood Development Plan 2022-39 (NWNP).
2. The purpose of the statement is to demonstrate that NWNP 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.
3. 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.
4. 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”*.
5. This statement confirms that:
- The legal compliance requirements have been met (section 2);
  - NWNP has had due regard to national policies and advice contained in guidance issued by the Secretary of State (Section 3);
  - NWNP contributes towards sustainable development (Section 4);
  - NWNP is in general conformity with the strategic policies contained in the local plan for King’s Lynn & West Norfolk (Section 5).
  - NWNP 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
  - NWNP meets the prescribed conditions for Neighbourhood Development Plans (Section 7).

## Section 2: Legal and Regulatory Compliance

6. NWNP 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.
7. NWNP is a neighbourhood plan for the parish of North Wootton within West Norfolk. No other neighbourhood plan has or is being made for this area. The qualifying body for NWNP is the Parish Council. NWNP includes a map of the designated area, see **Figure 1** of this report.

8. NWNP 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.
9. NWNP covers the period 2022-2039 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 (2016-2039). It must be noted that the emerging Local Plan was originally 2016-2036, however, the inspector through the ongoing examination suggested changing this to 2039.
10. NWNP 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

11. National planning policy is set out in the NPPF. The most recent version was published in July 2021. NWNP 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 are relevant policy throughout other parts of the NPPF.
12. **Figure 2** demonstrates how NWNP 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

NWNP Policy	NPPF (and PPG) Cross References	Comments
General	<p><b>NPPF:</b></p> <ul style="list-style-type: none"> <li>- Section 2 (Achieving sustainable development) Para 8, Para 11</li> <li>- Section 3 (Plan-making) Para 15, Para 28,</li> <li>- Section 5 (Delivering a sufficient supply of homes) Para 60, 67</li> <li>- Section 8 (Promoting healthy and safe communities) Para 92, Para 100</li> <li>- Section 9 (Promoting sustainable transport) Para 104, 105, 106, 130</li> <li>- Section 12 (Achieving well-designed places) Para 127, Para 130,</li> <li>- Section 14 (Meeting the challenge of climate change, flooding, and coastal change) Para 153, 169</li> <li>- Section 15 (Conserving and enhancing the natural environment) Para 174, 183, 185</li> <li>- Section 16 (Conserving and enhancing the historic environment) Para 190</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> </ul>	<p>NWNP 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>NWNP provides a framework for addressing housing needs such as affordable housing and housing mix, and other 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 in different ways and other consultees, as set out in the Consultation Statement.</p> <p>NWNP does not allocate any sites for development.</p> <p>NWNP includes non-strategic policies for housing, design codes and principles, conserving and enhancing the natural and historic environment, community facilities and sustainable transport related matters. It is supported by a proportionate evidence base which includes the Evidence Base Paper (that also covers the views and non-designated heritage assets assessment), North Wootton Housing Needs Assessment 2022, North Wootton Design Guidance and Codes Document</p>



NWNP Policy	NPPF (and PPG) Cross References	Comments
	<ul style="list-style-type: none"> <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 Reference ID: 67-001-20190722</li> <li>- <b>Housing for older and disabled people:</b> PPG Paragraph: 008 Reference ID: 63-008-20190626, PPG Paragraph: 009 Reference ID: 63-009-20190626</li> <li>- <b>Design: process and tools-</b> PPG Paragraph: 002 Reference ID: 26-002-20191001</li> <li>- <b>Local Green Space</b> PPG paragraph: 006 Reference ID: 37-006-20140306, Para 009 Reference ID: 37-009-20140306, Para 013 Reference ID: 37-013-20140306, Para 014, Para 015, Para 017</li> <li>- <b>Historic Environment Designated Heritage Assets</b> PPG Paragraph: 023 Reference ID: 18a-023-20190723</li> <li>- <b>Non-Designated Heritage Assets-</b> PPG Paragraph: 040 Reference ID: 18a-040-20190723</li> </ul>	<p>2022. 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 character. Policy 3 is the main policy for design and Appendix B is the AECOM Design Checklist.</p>
Policy 1: Housing Mix	<p><b>NPPF</b></p> <ul style="list-style-type: none"> <li>- Para 8, Para 11,</li> </ul>	<p>This policy will help ensure future development meets the needs of the community, including providing a mix of houses which can be easily adaptable for</p>

NWNP Policy	NPPF (and PPG) Cross References	Comments
	<ul style="list-style-type: none"> <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><b>Housing for older and disabled people:</b> PPG Paragraph: 008 Reference ID: 63-008-20190626, PPG Paragraph: 009 Reference ID: 63-009-20190626</p>	<p>older residents and will provide a smaller/medium number of bedrooms to help enable residents to get on the housing ladder such as younger people and be of a size suitable for families. The policy follows the guidance proposals taken from the North Wootton Housing Needs Assessment 2022 to help achieve a balanced mix of housing to meet the needs of the community.</p> <p>As well as this it supports in principle development coming forward for specialist housing. This policy conforms with the NPPF Para 62 which sets out how planning policies should reflect the different needs regarding size, type, and tenure in the community.</p>
Policy 2: Affordable Housing	<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>The policy follows the guidance proposals taken from the Housing Needs Assessment to help achieve a balanced mix of housing to meet the needs of the community. It specifically identifies a required tenure split for affordable housing.</p> <p>This policy conforms with the NPPF Para 63 which states how planning policies should specify the type of affordable housing required in line with the North Wootton Housing Needs Assessment 2022.</p>
Policy 3: Design	<p><b>NPPF</b></p> <ul style="list-style-type: none"> <li>- <b>Section 12 Achieving well-designed places,</b> para 127,130</li> </ul>	<p>This policy encourages all development to be designed to high quality standards and be in conformity with the North Wootton</p>



NWNP Policy	NPPF (and PPG) Cross References	Comments
	<p><b>Climate Change</b> PPG Paragraph: 001 Reference ID: 6-001-20140306</p> <p><b>Design: process and tools-</b> PPG Paragraph: 002 Reference ID: 26-002-20191001</p>	<p>design codes and guidance document 2022 and checklist. It sets out detailed clauses in line with the design codes DC.01-DC.05 for North Wootton and the design aspects which development should have regard to including density, materials, roofline, and boundary treatments. It also supports low carbon homes and sustainable building construction/design.</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 NWNP and the expectation applications are to follow.</p>
<p>Policy 4: Residential Car Parking</p>	<p><b>NPPF</b></p> <ul style="list-style-type: none"> <li>- <b>Section 9 Promoting sustainable transport</b> Para 104, 105, 108</li> <li>- <b>Section 12 Achieving well-designed places,</b> para 127,130</li> </ul>	<p>This policy states that residential developments should consider the appropriate points made under the design codes document and the car parking standards in the latest guidance by the Norfolk County Council. The policy conforms with the NPPF including Para 108.</p>
<p>Policy 5: North Wootton Norfolk Coast AONB Policy</p>	<ul style="list-style-type: none"> <li>- <b>Section 15 Conserving and enhancing the natural environment</b> Para 174, 176, 179</li> </ul> <p><b>Natural Environment</b> Para: 020, 021, 022 Reference ID: 8-020-20190721</p>	<p>This policy states that planning applications which fall within the AONB designation should have due regard to the Norfolk Coast AONB guidance for Drained Coastal Marshes which is one of the specific character types of the parish. As well as this it aims for development to have regard to the distinctive features of the AONB character area and current built/natural environment and is generally</p>

NWNP Policy	NPPF (and PPG) Cross References	Comments
		<p>against subdivision of plots which can erode the character type of the AONB.</p> <p>The policy conforms with the NPPF because as stated in Para 174 policies should contribute to protecting valued landscapes, like the AONB. Para 176 states great weight should be given to conserving and enhancing landscapes such as AONBS which have the highest status of protection in relation to natural environment issues. This policy aims to add further protection and criteria to the AONB designation in the parish for decision makers to consider as and when appropriate.</p>
Policy 6: Dark Skies	<p>NPPF</p> <ul style="list-style-type: none"> <li>- <b>Section 15 Conserving and enhancing the natural environment</b> Para 185</li> <li>- <b>PPG Light Pollution</b> Para 001 Reference ID: 31-001-20191101, Para 005</li> </ul>	<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 and nature conservation areas.</p>
Policy 7: Biodiversity improvements	<p>NPPF</p> <ul style="list-style-type: none"> <li>- Para 8,</li> <li>- <b>Section 11 Making effective use of land</b> Para 120</li> <li>- <b>Section 15 Conserving and enhancing the natural environment</b> Para 174, 179</li> </ul>	<p>This policy sets out that all development will need to demonstrate at least 10% net gain in biodiversity and recommends approaches for achieving this within the parish. It will support the health and resilience of wildlife, which is essential in maintaining and enhancing its ability to provide the wealth of ecosystem services,</p>

NWNP Policy	NPPF (and PPG) Cross References	Comments
	<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>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> <p>The NPPF encourages net gain through planning policies and the PPG states how plans can be used to set out a suitable approach to biodiversity net gain and how it will be achieved.</p>
<p>Policy 8: Protection of Important Local Views</p>	<p>NPPF</p> <ul style="list-style-type: none"> <li>- <b>Section 12 Achieving well-designed places</b> Para 127, 130</li> <li>- <b>Section 15 Conserving and enhancing the natural environment</b> Para 174</li> </ul> <p>PPG Paragraph: 036 Reference ID: 8-036-20190721</p>	<p>In the NPPF and PPG the intrinsic character and beauty of the countryside is recognised and 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 within both the countryside and built environment and ensuring proposals are expected to demonstrate that they are designed and sited to avoid harm to the 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</p>

NWNP Policy	NPPF (and PPG) Cross References	Comments
		would expect from developments (NPPF Para 127). 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.
Policy 9: Surface Water Flood Risk and Management	<p>NPPF</p> <ul style="list-style-type: none"> <li>- <b>Section 14 Meeting the challenge of climate change, flooding, and coastal change</b> Para 153</li> </ul> <p>Climate Change PPG Paragraph: 001 Reference ID: 6-001-20140306  <b>Flooding-</b> PPG Paragraph: 063 Reference ID: 7-063-20140306</p>	This policy will help to adapt to climate change and ensure that surface water and general flood risk is managed appropriately and sustainably with a focus on natural SuDS schemes.
Policy 10: Protection of Community Facilities	<p>NPPF</p> <ul style="list-style-type: none"> <li>- <b>Section 8 Promoting healthy and safe communities</b> Para 93</li> </ul>	This policy protects a list of community facilities within the parish. 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. Facilities protected in this policy include those which meet day to day needs such as the doctors' surgery, primary school, and village shop.
Policy 11: Local Community Infrastructure Priorities	<p>NPPF</p> <p><b>Section 8 Promoting healthy and safe communities</b> Para 93</p>	This policy supports in principle proposals for new or expanding community facilities including examples like cafes, bakery, butchers, and public toilets. Also, Policy 11 encourages the restoration of buildings which are no longer open such as the pre-school and pub -The House on the Green.

NWNP Policy	NPPF (and PPG) Cross References	Comments
		<p>The policy conforms with the NPPF which states in Para 93 that policies should plan positively for the provision and use of community facilities and other local services.</p>
<p>Policy 12: Implementing Walking and Cycling Routes</p>	<p>NPPF</p> <ul style="list-style-type: none"> <li>- <b>Section 9 Promoting sustainable transport</b> Para 104, 105 and Para 130</li> <li>- <b>Section 14 Meeting the challenge of climate change, flooding, and coastal change</b> Para 153</li> </ul> <p><b>Design: process and tools-</b> PPG Paragraph: 002 Reference ID: 26-002-20191001</p> <p><b>Climate Change</b> PPG Paragraph: 001 Reference ID: 6-001-20140306</p> <p><b>Healthy &amp; Safe Communities-</b> Paragraph: 001 Reference ID:53-001-20190722</p>	<p>Policy 12 supports proposals that create new pathways within or connecting the village to adjacent settlements. This policy supports the shift towards creating a low carbon economy, where there are reasonable opportunities for an improved walking and cycling network that will encourage people to walk more and use their cars less often, thereby reducing CO<sub>2</sub> emissions. This policy conforms to the expectation that neighbourhood plans will contribute to the achievement of sustainable development as set out in the NPPF and PPG.</p>
<p>Policy 13: Provision of public car parking facilities</p>	<p>NPPF</p> <ul style="list-style-type: none"> <li>- <b>Section 9 Promoting sustainable transport</b> Para 104</li> </ul>	<p>This is a supportive policy which aims to encourage and support in principle improved or expanded parking facilities at North Wootton primary school as well as businesses proposing to create additional off-road parking for visitors. The policy also has due regard to design code DC.03 from the parish design codes document and wishing for any promoters to work proactively with the parish council and community.</p>

NWNP Policy	NPPF (and PPG) Cross References	Comments
		<p>The policy conforms with the NPPF since transport issues should be considered from the earliest stages of plan making which this NP has done so with developing this policy to support overcoming parking issues around the school and areas where businesses are located.</p>
<p>Policy 14: Non-Designated Heritage Assets</p>	<p>NPPF</p> <ul style="list-style-type: none"> <li>- <b>Section 16 Conserving and enhancing the historic environment</b> Para 190, 200, 203, footnote 68.</li> </ul> <p>PPG- Historic Environment Para 039-041</p>	<p>Policy 14 identifies non-designated heritage assets within North Wootton that should be conserved in a manner appropriate to their significance – as required by policy in the NPPF. The effect of an application on the significance of a NDHA should be considered when making a planning judgement.</p> <p>Identification of NDHAs within the NP has followed the Historic England criteria which is shown in the NDHA assessment. It is considered that an appropriate assessment has been taken for designating the assets in North Wootton. There is no specific local list set by the Local Authority or guidance on how to designate NDHAs for neighbourhood plans.</p>



## Section 4: Sustainable Development

13. 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.
14. This is captured by Paragraph 8 of the NPPF in particular, which summarises the three interdependent objectives. **Figure 2** includes a number of references to NPPF para 8, demonstrating the policies in NWNP that have due regard to these overarching objectives.
15. The NPPF as a whole represents sustainable development, and **Figure 2** sets out that NWNP is very consistent with the NPPF. It should therefore be the case that NWNP will help to deliver sustainable development in North Wootton through delivering the economic, social, and environmental objectives.
16. NWNP 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

17. It is a requirement that NWNP 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;

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

- 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.

18. The NWNP 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)

19. The BCKLWN has an emerging local plan and covers the time period 2016-2039. The emerging local plan is at an advanced stage and is currently at Examination.

20. **Figure 3** reviews each policy in the submitted NWNP with respect to the current strategic local plan policies.

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

NWNP	Local Plan	Comments
<p><b>Policy 1: Housing Mix</b></p>	<p>CS01 Spatial Strategy CS02 Settlement Hierarchy CS09 Housing Distribution CS13 Community and Culture</p>	<p>Policy 1 has additional local detail that will help ensure housing development meets the needs of the community within the Key Rural Service Centre (CS02). This is in conformity with local plan policies such as CS09 which require that the type, size, and tenure of new housing should reflect the needs of the area, based on the most up to date Housing Needs Assessment covering North Wootton.</p>
<p><b>Policy 2: Affordable Housing</b></p>	<p>CS06 Development in Rural Areas CS09 Housing Distribution CS14- Infrastructure Provision</p>	<p>Policy 2 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>
<p><b>Policy 3: Design</b></p>	<p>CS06 Development in Coastal Areas CS08 Sustainable Development CS12- Environmental Assets CS14- Infrastructure Provision DM15- Environment, Design and Amenity</p>	<p>High standards of design are required through this policy. 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.</p>
<p><b>Policy 4: Residential Parking Standards</b></p>	<p>DM17- Parking Provision in new development</p>	<p>This policy states that adequate off-street parking should be made for all residential developments and the car parking standards in the prevailing guidance by the Norfolk County Council will be taken as the minimum number of spaces required. The policy conforms with DM17 as the NCC standards for new dwellings are required here too.</p>
<p><b>Policy 5: North Wootton Norfolk Coast AONB Policy</b></p>	<p>CS07 Development in Coastal Areas CS12- Environmental Assets</p>	<p>This policy states that planning applications which fall within the AONB designation should have due regard to the Norfolk Coast AONB guidance for Drained Coastal Marshes which is one of the</p>

NWNP	Local Plan	Comments
	Emerging Local Plan Review LP16- Norfolk Coast AONB Policy	<p>specific character types of the parish. As well as this it aims for development to have regard to the distinctive features of the AONB character area and current built/natural environment and is generally against subdivision of plots which can erode the character type of the AONB.</p> <p>Part of North Wootton parish falls within the coastal drained marshes in the AONB designation. CS07 states that the Council will seek to balance the sensitive nature of the coastal area of West Norfolk with the national and international designations including the Area of Outstanding Natural Beauty for wildlife, landscape, and heritage with the need for economic and social development of the area and the effects of climate change. It also supports the recommendations of the AONB Management plan and continue to play a role as a key partner in the Norfolk Coast Partnership. Policy 5 of the NWNP also gives due regard to the latest guidance by Norfolk Coast Partnership on the AONB character area which is relevant to North Wootton.</p> <p>The emerging Local Plan Review also has a new AONB policy (LP16) coming forward which has further regard to the AONB Management Plan, and that development will only be granted within the AONB or affecting the setting of the AONB if it conserves and enhances the AONB qualities and is appropriate to area.</p>
<b>Policy 6: Dark Skies</b>	CS08 Sustainable Development DM15- Environment, Design and Amenity	This policy 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

NWNP	Local Plan	Comments
		encourages and supports proposals to protect the landscape character and distinctive features.
<b>Policy 7: Biodiversity Improvements</b>	CS08 Sustainable Development CS14- Infrastructure Provision DM19 Green Infrastructure/Habitats Monitoring and Mitigation	This conforms with policy in the local plan, which requires the protection of environmental assets, enhance links between areas of biodiversity importance and creation of networks of habitats and green infrastructure.
<b>Policy 8: Protection of Important Local Views</b>	CS08 Sustainable Development DM15- Environment, Design and Amenity	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 assets, the landscape value and having regard to visual impact.
<b>Policy 9: Surface Water Flood Risk and Management</b>	CS08 Sustainable Development CS14 Infrastructure Provision	The policy ensures development is designed to manage surface water in a sustainable way, with an emphasis of measures that will also benefit the natural environment. This conforms with CS08 which promotes and encourages opportunities to integrate the use of water saving devices and where applicable through S106 obligations include SuDS development proposals.
<b>Policy 10: Protection of Community Facilities</b>	CS13 Community & Culture DM9- Community facilities	This policy provides local detail which adds to Policy CS13 and DM9. CS13 supports proposals that protect, retain, or enhance existing facilities and will not permit development that results in a loss of existing cultural facilities. Policy 10 in NWNP lists community facilities in North Wootton that should be protected through DM9.
<b>Policy 11: Local Community Infrastructure Priorities</b>	CS13 Community & Culture DM9- Community facilities	This policy supports in principle proposals for new or expanding community facilities including examples like cafes, bakery, butchers, and public toilets. Also, Policy 11 encourages the restoration

NWNP	Local Plan	Comments
		<p>of buildings which are no longer open such as the pre-school and pub -The House on the Green.</p> <p>This policy adds examples of community facilities that would be welcomed by the community to help improve community cohesion, quality of life and interaction. Policy CS13 recognises the importance of community facilities and services which do this and actively encourages new cultural facilities and supports proposals that create new facilities in accessible locations.</p>
<p><b>Policy 12: Implementing walking and cycling routes</b></p>	<p>CS08 Sustainable Development CS11- Transport CS14- Infrastructure Provision</p>	<p>This conforms with the local plan policies which seek to promote sustainable modes of travel and direct infrastructure improvements accordingly.</p>
<p><b>Policy 13: Provision of public car parking facilities</b></p>	<p>CS08 Sustainable Development CS11- Transport DM15- Environment, Design and Amenity DM17- Parking Provision in New Development</p>	<p>This is a supportive policy which aims to encourage and support in principle improved or expanded parking facilities at North Wootton primary school as well as businesses proposing to create additional off-road parking for visitors. The policy also has due regard to design code DC.03 from the parish design codes document and wishing for any promoters to work proactively with the parish council and community.</p> <p>The policy conforms with the Local Plan with regard to needing to consider the design and safety of parking facilities on site and consider how parking provision should be negotiated to ensure it is adequate for the proposal at hand.</p>
<p><b>Policy 14: Non-Designated Heritage Assets</b></p>	<p>CS01 Spatial Strategy CS08 Sustainable Development DM15- Environment, Design and Amenity</p>	<p>This policy sets out a positive strategy for protecting and enhancing the character, integrity, and appearance of heritage assets. The policy generally conforms with CS01 and CS08 where the protection and enhancement of heritage assets</p>



NWNP	Local Plan	Comments
		is a development priority. Also the policy conforms with DM15 which states development must protect and enhance the amenity of the wider environment including its heritage and cultural value.

## Section 6: EU Obligations

21. A Screening Opinion request was made to BCKLWN as to whether Strategic Environmental Assessment and Appropriate Assessment (see **section 7**) were required. This was supported by a short report and assessment. In this the NWNP 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 SEA Regulations (2004). The assessment recommended that SEA and HRA appropriate assessment would not be required. This was supported by BCKWLN (as the lead planning authority) who undertook a screening exercise between 30 January and 27 February 2023 in consultation with the Statutory Environmental Bodies (SEBs). The Environment Agency did not respond, however, Historic England Natural England both agreed that an SEA was not required.

22. The BCKLWN Screening Outcome was:

*The Borough Council prepared this document as a preliminary screening opinion. The statutory bodies, the Environment Agency, Historic England and Natural England, as required within the SEA and HRA screening process, were consulted upon this over 4 weeks (30 January – 27 February 2023, inclusive). Through ongoing discussions and engagement with the qualifying body and the statutory bodies, the Borough Council has reviewed the SEA and HRA Screening Assessment document (November 2022), prepared by the Parish Council's appointed consultant and reached a conclusion on the matter of the screening report. The consultation responses of the statutory bodies have underpinned the Local Planning Authority's evaluation and conclusions. The statutory bodies' consultation responses are appended in full to this report.*

*The assessments contained within this report are based upon the Borough Council's preliminary screening opinion and the consultation responses received from the statutory bodies. They identify that, based upon the information available; there is not the potential for significant environmental effects to arise from the implementation of the proposals in the emerging Neighbourhood Plan for North Wootton.*

*6.3 Based upon the assessment above and the responses from the statutory consultation bodies, the Borough Council has concluded that:*

- ***The North Wootton Neighbourhood Plan does not require a full Strategic Environmental Assessment (SEA); and***
- ***The North Wootton Neighbourhood Plan does not require an Appropriate Assessment, under the Habitat Regulations.***

*This report is based on the SEA and HRA Screening Assessment (November 2022); prepared for North Wootton Parish Council (Qualifying Body) and submitted to the statutory consultation bodies for the SEA/ HRA screening consultation. The Neighbourhood Plan at this stage is still at an early stage, with a preliminary draft document having now been prepared in advance of public consultation under the Neighbourhood Planning (General) Regulations 2012 (Regulation 14). The Neighbourhood Plan itself may be subject to further review by Natural England, Historic England and the Environment Agency through the Regulation 14 consultation. The screening opinion and report may also need to be updated and/ or reviewed if further changes are made to the Neighbourhood Plan following the Regulation 14 consultation.*

*This report will be issued to North Wootton Parish Council, and in line with the requirements, Historic England, Natural England, and the Environment Agency. A copy of the report must also be submitted with the Neighbourhood Plan proposal and made available to the independent examiner.*

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

24. NWNP 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. NWNP 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.

25. In conclusion, the NWNP 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

26. 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”.*

27. 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.

28. 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.

29. A screening assessment was undertaken on NWNP in early 2023 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.