

Docking Neighbourhood Plan 2023-2039

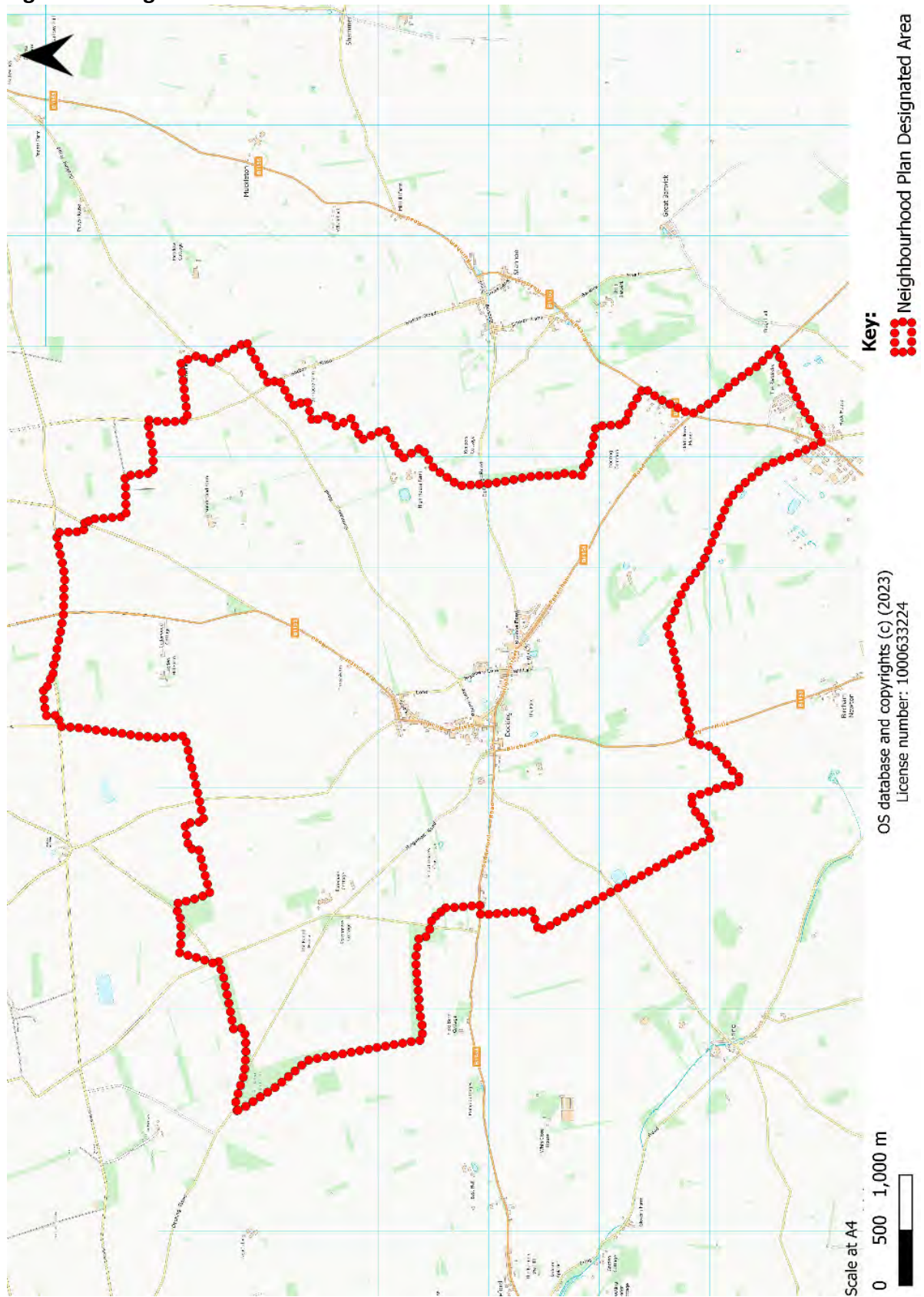


Statement of Basic Conditions

Table of Contents

SECTION 1: INTRODUCTION.....	2
SECTION 2: LEGAL AND REGULATORY COMPLIANCE	3
SECTION 3: DUE REGARD TO THE NPPF	3
SECTION 4: SUSTAINABLE DEVELOPMENT.....	11
SECTION 5: GENERAL CONFORMITY WITH LOCAL STRATEGIC POLICIES.....	11
SECTION 6: EU OBLIGATIONS.....	15
SECTION 7: PRESCRIBED CONDITIONS	16

Figure 1: Designated Area



Section 1: Introduction

1. This Basic Conditions Statement has been prepared by [Collective Community Planning](#) on behalf of Docking Parish Council to accompany the Docking Neighbourhood Development Plan 2023-2039 (DNP).

The purpose of the statement is to demonstrate that DNP 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);
 - DNP has had due regard to national policies and advice contained in guidance issued by the Secretary of State (Section 3);
 - DNP contributes towards sustainable development (Section 4);
 - DNP is in general conformity with the strategic policies contained in the local plan for King’s Lynn & West Norfolk (Section 5).
 - DNP 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
 - DNP meets the prescribed conditions for Neighbourhood Development Plans (Section 7).

Section 2: Legal and Regulatory Compliance

5. DNP 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. DNP is a neighbourhood plan for the parish of Docking within West Norfolk. The parish does not have an adopted neighbourhood plan. The qualifying body for DNP is the Parish Council. DNP includes a map of the designated area, see **Figure 1** of this report.
7. DNP 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. DNP covers the period 2023-2039 which is in general conformity with the timeframes for the strategic policies in the Local Plan for King's Lynn and West Norfolk (2021-2040).
9. DNP 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 2024. DNP 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 29 to 31, but there is relevant policy throughout other parts of the NPPF.
11. **Figure 2** demonstrates how DNP 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

DNP Policy	NPPF (and PPG) Cross References	Comments
General	<p>NPPF:</p> <ul style="list-style-type: none"> - Section 2 (Achieving sustainable development) Para 8, Para 11 - Section 3 (Plan-making) Para 15-16, Para 29-31 - Section 5 (Delivering a sufficient supply of homes) Para 61, 63 - Section 8 (Promoting healthy and safe communities) Para 96, Para 103-108 - Section 9 (Promoting sustainable transport) Para 109-112, - Section 12 (Achieving well-designed places) Para 131-136, 139 - Section 14 (Meeting the challenge of climate change, flooding, and coastal change) Para 161-162,170 - Section 15 (Conserving and enhancing the natural environment) Para 187-188, 192, 198 <p>PPG:</p> <ul style="list-style-type: none"> - Healthy & Safe Communities- PPG Paragraph: 001 Reference ID:53-001-20190722 - Climate Change PPG Paragraph: 001 Reference ID: 6-001-20140306 - Green Infrastructure- Paragraph: 005 Reference ID: 8-005-20190721, Paragraph: 006 Reference ID: 8-006-20190721 - Housing needs of different groups: PPG Paragraph: 001 Reference ID: 67-001-20190722 	<p>DNP 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 Figure 3.</p> <p>DNP 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>DNP 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, Docking Housing Needs Assessment 2025, Docking'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 character. Policy 6 focuses on design.</p>

DNP Policy	NPPF (and PPG) Cross References	Comments
	<p>- Design: process and tools- PPG Paragraph: 002 Reference ID: 26-002-20191001</p>	
<p>Policy 1: Biodiversity and Green Ecological Corridors</p>	<p>NPPF</p> <ul style="list-style-type: none"> • Para 8c • Section 11 Making effective use of land Para 125 • Section 12 Achieving well-designed places, Para 132-135 • Section 15 Conserving and enhancing the natural environment Para 180, 185 <p>Climate Change PPG Paragraph: 001 Reference ID: 6-001-20140306</p> <p>Green Infrastructure- Paragraph: 005 Reference ID: 8-005-20190721, Paragraph: 006 Reference ID: 8-006-20190721</p> <p>Natural Environment Para: 020, 021, 022 Reference ID: 8-020-20190721</p>	<p>The policy expects where relevant for proposals to give consideration the Local Design Code DC.19 – Biodiversity and Wildlife. Proposals delivering higher than the mandatory 10% Biodiversity Net Gain will be supported/considered as a planning benefit. Proposals need to ensure importance is given to areas of wildlife such as areas occupied by Priority Habitats.</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> <p>The policy conforms to the NPPF and PPG since Para 187 states planning policies should contribute to protecting and enhancing sites of biodiversity value and minimising impacts on and providing net gains for biodiversity. Para 192 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</p>

DNP Policy	NPPF (and PPG) Cross References	Comments
		opportunities for securing measurable net gain for biodiversity (Para 185b).
Policy 2: Trees	NPPF Para 8c Section 12 Achieving well-designed and beautiful places Para 131-136 Section 15 Conserving and enhancing the natural environment Para 187,193	<p>The policy sets out that details proposals have to consider for existing and replacement trees 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 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 187 states planning policies should recognise the intrinsic character of the countryside and wider benefits including trees and woodland.</p>
Policy 3: Local Green Spaces	NPPF Para 8c <ul style="list-style-type: none"> Section 2 Achieving sustainable development Para 8 Section 8 Promoting healthy and safe communities Paras 106-108 Section 13 Protecting Green Belt land Green Infrastructure PPG Paragraph: 005 Reference ID: 8-005-20190721 Local Green Space PPG paragraph: 006, 009, 013 to 017 Reference ID: 37-006-20140306, Para 009	<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</p>

DNP Policy	NPPF (and PPG) Cross References	Comments
	Reference ID: 37-009-20140306, Para 013 Reference ID: 37-013-20140306	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.
Policy 4: Important Local Views	<p>NPPF</p> <ul style="list-style-type: none"> - Section 3 Plan-making Para 29 - Section 12 Achieving well-designed places Para 131-135 - Section 15 Conserving and enhancing the natural environment Para 187 <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 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 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 5: Dark Skies	<p>NPPF</p> <p>Section 15 Conserving and enhancing the natural environment Para 198</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.

DNP Policy	NPPF (and PPG) Cross References	Comments
	<p>PPG Light Pollution Para 001 Reference ID: 31-001-20191101, Para 005</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 6: Design	<p>NPPF</p> <ul style="list-style-type: none"> - Section 3- Plan making Para 29 - Section 12 Achieving well-designed places, para 131-135 <p>Design: process and tools- PPG Paragraph: 002 Reference ID: 26-002-20191001</p>	<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 DNP and the expectation applications are to follow. The NPPF (December 2023) Para 132 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 7: Housing Mix	<p>NPPF</p> <ul style="list-style-type: none"> - Para 8, Para 11, - Section 5 (Delivering a sufficient supply of homes) Para 61-63 <p>Housing needs of different groups: PPG Paragraph: 001 Reference ID: 67-001-20190722</p>	<p>Policy 7 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>This policy conforms with the NPPF Para 61-63 which sets out how planning policies should reflect the different needs regarding size, type, and tenure in the community.</p>

DNP Policy	NPPF (and PPG) Cross References	Comments
Policy 8: Affordable Housing	NPPF <ul style="list-style-type: none"> - Para 8, Para 11, - Section 5 (Delivering a sufficient supply of homes) Para 61-63 Housing needs of different groups: PPG Paragraph: 001 Reference ID: 67-001-20190722	<p>Policy 8 follows the guidance proposals taken from the Housing Needs Assessment 2024.</p> <p>This policy conforms with the NPPF Para 61 and 63 which sets out how planning policies should reflect the different needs regarding size, type, and tenure in the community.</p>
Policy 9: Principal Residence Requirement	NPPF <ul style="list-style-type: none"> - Para 8, Para 11, - Section 5 (Delivering a sufficient supply of homes) Para 61-63 Housing needs of different groups: PPG Paragraph: 001 Reference ID: 67-001-20190722	<p>This policy will help ensure future development built in the parish meets the needs of the community by being for principal residency. This is to ensure that the future housing stock is not taken for holiday lets or second home ownership which comprise a large proportion of the current housing stock, including those in the new residential estates, making it difficult for local people to buy or rent in the area. The policy has been informed through resident views and other data sources such as the Borough Council Tax Report.</p> <p>This policy conforms with the NPPF Para 63 which sets out how planning policies should reflect the different needs regarding size, type, and tenure in the community.</p>
Policy 10: Protected Community Facilities	NPPF Section 8 Promoting healthy and safe communities Para 96, 98	<p>This policy protects six community facilities within the parish. It conforms with the NPPF Para 98 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>
Policy 11: Employment Opportunities	NPPF Section 8 Promoting healthy and safe communities Para 96, 98	<p>Policy 11 supports any proposals regarding the expansion or creation of new community facilities or employment opportunities as long as they conform to other relevant policies. It also will strongly</p>

DNP Policy	NPPF (and PPG) Cross References	Comments
		<p>support any proposals that will bring employment and spaces for the community to gather in the village.</p> <p>Proposals should conform to the relevant design code when it comes to outdoor seating or street furniture to fit in with the surrounding area and have consideration to parking.</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>
Policy 12: Access and Movement	NPPF Section 9 Promoting sustainable transport Para 109	<p>This policy sets out that any major development 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. The policy also must have regard to the Design Code document.</p> <p>The NPPF Para 109 states how transport issues should be considered from the earliest stages of plan making so that for example 109e 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’¹. 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 DNP is very consistent with the NPPF. It should therefore be the case that DNP will help to deliver sustainable development in Docking through delivering the economic, social, and environmental objectives.
14. DNP 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 DNP 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 DNP area falls within one local authority area, the Borough Council of King’s Lynn and West Norfolk (BCKLWN). The local plan for this area is the Local Plan 2021-2040.
17. **Figure 3** reviews each policy in the submitted DNP with respect to the current strategic local plan policies.

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

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

DNP Policy	Local Plan 2021 2040	Comments
Policy 1: Biodiversity and Green Ecological Corridors	<ul style="list-style-type: none"> Policy LP19- Environmental Assets- Green Infrastructure, Landscape Character, Biodiversity and Geodiversity 	Policy 1 conforms with the relevant policies in the Local Plan such as LP19 which requires the protection of environmental assets, encourages nature-based solutions and green infrastructure to protect and enhance the local landscape and biodiversity including habitat creation.
Policy 2: Trees	<ul style="list-style-type: none"> Policy LP19- Environmental Assets- Green Infrastructure, Landscape Character, Biodiversity and Geodiversity 	Policy 2 conforms with the relevant policy in the Local Plan such as LP19 which requires the protection of environmental assets.
Policy 3: Local Green Spaces	<ul style="list-style-type: none"> Policy LP26- Protection of Local Open Space 	Policy 3 designates Local Green Spaces to be protected. This is in conformity with the Local Plan LP26 which supports local communities in designating local green spaces for protection in neighbourhood plans where they meet the NPPF criteria and do not conflict with the Local Plan.
Policy 4: Important Local Views	<ul style="list-style-type: none"> Policy LP19- Environmental Assets- Green Infrastructure, Landscape Character, Biodiversity and Geodiversity 	Policy 4 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 the Local Plan LP19 by protecting environmental assets, the landscape value and having regard to visual impact.
Policy 5: Dark Skies	<ul style="list-style-type: none"> Policy 21- Environment, Design and Amenity 	Policy 5 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 LP21 which states proposals will be assessed against light pollution when considering amenity and design.
Policy 6: Design	<ul style="list-style-type: none"> LP06- Climate Change 	High standards of design are required through Policy 6. This is in conformity

DNP Policy	Local Plan 2021 2040	Comments
	<ul style="list-style-type: none"> LP18- Design and Sustainable Development LP23- Green Infrastructure 	with a few Local Plan policies covering design principles and setting out criteria for development to address scale, height, massing, layout, green infrastructure, flood risk and water management. Policy 6 in the DNP adds further detail to the Local Plan with the input of a Design Guidance and Codes Document.
Policy 7: Housing Mix	<ul style="list-style-type: none"> LP28- Affordable Housing 	<p>Regarding Housing Mix, Policy 7 has additional local detail that will help within Docking. This is in general conformity with the Local Plan Policy 28 that states proposals for housing need to meet the need as identified in the most up to date housing needs assessment with particular regard to size, type, tenure of dwellings.</p> <p>The Docking Housing Needs Assessment 2024 is the most up to date document.</p>
Policy 8: Affordable Housing	<ul style="list-style-type: none"> LP28- Affordable Housing 	Policy 8 adds further detail to Policy LP28 regarding affordable housing being tenure blind and not being readily differentiated from the open market homes, should be in line with Local Plan Affordable Housing Standards and will remain in perpetuity.
Policy 9: Principal Residence Requirement	<ul style="list-style-type: none"> LP28- Affordable Housing 	<p>The Local Plan does not have a policy on principal residency. However, Policy LP28 states proposals for housing need to meet the need as identified in the most up to date housing needs assessment with particular regard to size, type, tenure of dwellings.</p> <p>The Docking Housing Needs Assessment 2024 investigated second homes and it was considered appropriate to include housing principles on second homes to help the needs of local people.</p>
Policy 10: Protected	<ul style="list-style-type: none"> LP39 – Community Facilities 	Policy 10 provides local detail which adds to Policy LP39. It states the community

DNP Policy	Local Plan 2021 2040	Comments
Community Facilities		facility in Docking the parish wishes to protect.
Policy 11: Employment Opportunities	<ul style="list-style-type: none"> LP07- The Economy 	<p>Policy 11 supports proposals regarding the expansion or creation of new community facilities or employment opportunities 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 LP07 is to promote opportunities to improve and enhance the visitor economy. Also, support the rural economy and diversification through a rural exception approach to new development (including expansion and/or diversification of existing businesses) within the countryside and through a criteria based approach to retaining employment land and premises.</p>
Policy 12: Access and Movement	<ul style="list-style-type: none"> LP06- Climate Change LP38- Community and Culture 	<p>This policy sets out that any major development 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 permeable and non-slip surfaces. The policy also must have regard to the Design Code document.</p> <p>Any newly developed areas must be designed to prioritise pedestrians, cyclists with good sight lines, natural surveillance and unrestricted views. This conforms</p>

DNP Policy	Local Plan 2021 2040	Comments
		<p>with Local Plan LP38 where development should reduce the opportunity for crime.</p> <p>This policy is in general conformity with the Local Plan since LP06 states where relevant new development should be located in areas to minimise the need to travel and maximise the ability to make journeys via sustainable modes of transport and ensure new development is designed and adapted to incorporate climate change and flood risk resilience. This would relate to permeable surfaces.</p>

Section 6: EU Obligations

18. A Screening Opinion request was made to BCKLWN in December 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 DNP 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) between the 3rd and 31st of January 2025. The SEBs (Historic England and Natural England) agreed that an SEA was not required, and the Environment Agency did not respond.

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

20. DNP 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. DNP 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.

21. In conclusion, the DNP 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

22. 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)".

23. 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.

24. 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.

25. A screening assessment was undertaken on DNP (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.