

Badwell Ash and Long Thurlow Neighbourhood Plan **Basic Conditions Statement**

To accompany Badwell Ash and
Long Thurlow Neighbourhood Plan
submission version, for examination

January 2025

Contents

1. Introduction	3
2. Legal requirements	3
3. Basic Conditions	4
4. Compliance with Basic Conditions a) and e)	6
5. Compliance with Basic Condition d)	22
6. Compliance with Basic Condition f)	29
7. Compliance with Basic Condition g)	31

1. Introduction

- 1.1 When submitting a Neighbourhood Plan to the Local Authority (in this case Mid Suffolk District Council), it is a requirement that the Plan be accompanied by a number of supporting documents. One of these is commonly referred to as the 'Basic Conditions Statement.' Only a Neighbourhood Plan that meets each of the basic conditions can be put to referendum and if successful be used to assist in the determination of planning applications.
- 1.2 This Basic Conditions Statement is prepared for use by Mid Suffolk District Council and the Independent Planning Examiner, to assist in making this assessment about the basic conditions.

2. Legal Requirements

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

Qualifying Body: The Badwell Ash and Long Thurlow Neighbourhood Development Plan being submitted by a qualifying body – Badwell Ash and Long Thurlow Parish Council. Badwell Ash and Long Thurlow Parish Council was confirmed as a qualifying body by Mid Suffolk District Council on 20th September 2022, when the Badwell Ash and Long Thurlow Neighbourhood Plan Area was designated.

A Neighbourhood Development Plan: The Badwell Ash and Long Thurlow Neighbourhood Development Plan is a neighbourhood development plan. It relates to planning matters (the use and development of land) and has been prepared in accordance with the statutory requirements and processes set out in the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and the Neighbourhood Planning Regulations 2012.

The time-period covered: The Badwell Ash and Long Thurlow Neighbourhood Plan states the time-period for which it is to have effect (from 2024-2038) a period of 14-years.

Excluded Development: The Badwell Ash and Long Thurlow Neighbourhood Development Plan policies do not relate to excluded development. The Badwell Ash and Long Thurlow Neighbourhood Development Plan does not

deal with County Matters (mineral extraction and waste development), nationally significant infrastructure or any other matters set out in Section 61K of the Town and Country Planning Act 1990.

Area of the Neighbourhood Plan: The Badwell Ash and Long Thurlow Neighbourhood Development Plan relates to the Badwell Ash and Long Thurlow Parish Council's Neighbourhood Area and to no other area. There are no other Neighbourhood Plans in place relating to that Neighbourhood Area.

3. Basic Conditions

- 3.1 Paragraph 8(2) of Schedule 4B in the Town and Country Planning Act 1990 (as amended by Schedule 10 of the Localism Act 2011 and paragraph 102 (1) of the Levelling Up and Regeneration Act 2023) sets out a series of requirements that Neighbourhood Plans must meet. These 'basic conditions' are set out below:
- 3.2 A draft Plan meets the basic conditions if –
 - (a) Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan (see below).
 - (b) Having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order (applies in relation to a Listed Building only insofar as the order grants planning permission for development that affects the building or its setting (not applicable in respect of the Badwell Ash and Long Thurlow Neighbourhood Plan)).
 - (c) Having special regard to the desirability of preserving or enhancing the character or appearance of the Conservation Area it is appropriate to make the order (applies in relation to Conservation Areas only) insofar as the order grants planning permission for development in relation to buildings or land in the area (not applicable in respect of the Badwell Ash and Long Thurlow Neighbourhood Development Plan)

(d) The making of the Plan contributes to the achievement of sustainable development (see below)

(e) The making of the Plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area). (see Section 4 below).

Note: The Levelling up and Regeneration Act 2023, introduces a replacement Basic Condition to replace (e) above as follows, which is yet to be formally enacted but nevertheless has been considered by this statement:

e) (a) the making of the order/Plan would not have the effect of preventing development from taking place which
(i) is proposed in the development plan for the area of the authority (or any part of that area), and
(ii) if it took place, would provide housing

(f) The making of the Plan does not breach and is otherwise compatible with EU obligations (see below)

(g) Prescribed conditions are met in relation to the plan and prescribed matters have been complied with, in connection with the proposal for the plan (see below)

3.3 Where applicable each of these basic conditions is addressed below. For clarification it should be noted that b) and c) above are not applicable to the Badwell Ash and Long Thurlow Neighbourhood Development Plan and refer to 'Neighbourhood Orders' only.

4. Compliance with Basic Conditions a) and e)

- 4.1 Table 1 below provides an appraisal of the extent to which the Badwell Ash and Long Thurlow Neighbourhood Plan has regard to national policy, is in general conformity with strategic local policy and does not have the effect of preventing development from taking place which is proposed in the development plan.
- 4.2 The Neighbourhood Plan policies were drafted to be in conformity with the National Planning Policy Framework published in December 2023 and which was revised in December 2024. The table below assesses the degree of regard that the Badwell Ash and Long Thurlow Neighbourhood Development Plan policies have had to NPPF 2024 (Column B).
- 4.3 During the production of the Neighbourhood Plan, the strategic policies for the area were under-going revision. The Mid Suffolk Core Strategy was adopted in 2008, a focussed review of the Core Strategy was completed in 2012 which replaced a number of policies from the Core Strategy 2008, but largely only those around housing. The 2008 Core Strategy replaced parts of the Mid Suffolk Local Plan 1998, but not all. The Babergh Mid Suffolk Joint Local Plan (Part 1) (BMSJLP) was adopted in November 2023 and contains the strategic policies and development management policies for the two districts except for the spatial distribution/settlement hierarchy, open spaces, and site-specific allocations. Part 2 will contain those other elements and work began on this in early 2024.
- 4.4 Currently there are no proposed developments contained in the adopted development plan for Badwell Ash and Long Thurlow.
- 4.5 Therefore the Policies contained within the Badwell Ash and Long Thurlow Neighbourhood Plan have been assessed for their conformity against the existing Development Plan – Part 1 of the BMSJLP (Column D) and any relevant saved policies from previous development plan documents as identified in the Mid Suffolk Live Policies List November 2023.
- 4.6 The appraisal is shown in Table 1 below. In summary, the appraisal demonstrates that the Badwell Ash and Long Thurlow Neighbourhood Development Plan has had appropriate regard to and is in general conformity with, both national and strategic policy and does not have

the effect of preventing development from taking place which is proposed in the development plan.

Assessment of policies in the Badwell Ash and Long Thurlow Neighbourhood Plan against national and local strategic policies

Badwell Ash and Long Thurlow Neighbourhood Development Plan Policy (A)	NPPF December 2024 (B)	Babergh-Mid Suffolk Joint Local Plan (Part 1) Adopted November 2023 (C)
BALT1: Design guidance and codes	<p>This policy reflects NPPF para 135 which sets out the design criteria that development should meet for example “visually attractive as a result of good architecture, layout and appropriate and effective landscaping”., “sympathetic to local character and history, including the surrounding built environment and landscape setting while not preventing or discouraging appropriate innovation or change” ...”create places that are safe, inclusive...with a high standard of amenity...and where crime and the fear of crime do not undermine the quality of life or community cohesion or resilience”</p> <p>Policy BALT1 draws heavily on the Badwell Ash and Long Thurlow Design Guidance and Codes.</p>	<p>This policy is consistent with BMSJLP Policies LP23 and LP24 which seek high quality design, which takes account of design elements such as scale, height, massing, and density together with residential amenity issues such as parking, landscaping, sustainability and designing out crime. This policy reflects BMSJLP Policy LP24 which refers to the need for new development to be harmonious in its location and respond to the existing character and context.</p>
BALT2: Scale and pattern of new housing development	<p>This policy is consistent with NPPF paragraph 30 which indicates that Neighbourhood Plans should not promote less development than that set out in the strategic policies for the area.</p>	<p>This policy is consistent with Joint Local Plan Policy SP03: Sustainable location of new development which indicates that new housing development will come forward</p>

Badwell Ash and Long Thurlow Neighbourhood Development Plan Policy (A)	NPPF December 2024 (B)	Babergh-Mid Suffolk Joint Local Plan (Part 1) Adopted November 2023 (C)
	<p>The indicative housing local housing requirement for the parish as confirmed by MSDC is 150 dwellings up to 2037. This figure is met by existing commitments in the parish.</p> <p>In addition, the policy also includes criteria which new housing development would need to comply with which would allow for windfall development within the settlement boundary over and above the existing commitment. Furthermore the policy also allows for new development to take place outside of settlement boundaries subject to meeting additional criteria.</p> <p>The policy is also consistent with NPPF paragraph 75 which refers to windfall sites.</p>	<p>through extant planning permissions, allocations in made Neighbourhood Plans, windfall development in accordance with the relevant policies of the Plan or Neighbourhood Plans and any allocations which are made in the forthcoming Part 2 Plan.</p> <p>Policy SP03 makes it clear that within settlement the principle of development is established in accordance with the relevant policies of this Plan. Outside of the settlement boundaries, development will normally only be permitted subject to criteria.</p> <p>The approach and criteria used in both LP03 and BAL2 are consistent.</p>

<p>Badwell Ash and Long Thurlow Neighbourhood Development Plan Policy (A)</p>	<p>NPPF December 2024 (B)</p>	<p>Babergh-Mid Suffolk Joint Local Plan (Part 1) Adopted November 2023 (C)</p>
		<p>The BMSJLP does not identify any specific proposals for housing within the parish, neither does Policy BALT2 prevent appropriate future development from coming forward.</p>
<p>BALT3: Housing Mix</p>	<p>This policy reflects NPPF para 63 which advises that planning policies should establish, assess and reflect, the need, the size, type and tenure of housing needed for different groups in the in the community. These groups include “those who require affordable housing (including social rent), families with children, looked after children, older people (including those who require retirement housing, housing with care and care homes), students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes)”. Policy BALT3 reflects the results of consultation with the local community and is based on the results of the Badwell Ash and Long Thurlow Housing Needs Assessment.</p>	<p>This policy is consistent with BMSJLP Policy SP02 Affordable Housing which supports the delivery of affordable housing and indicates that the future mix of tenure, size and type of new affordable housing should be informed by local housing needs surveys or other relevant evidence. Policy BALT3 is informed by the AECOM Housing Needs Assessment for the parish. Policy BALT3 is also consistent with JLP Policy LP06 which allows for</p>

Badwell Ash and Long Thurlow Neighbourhood Development Plan Policy (A)	NPPF December 2024 (B)	Babergh-Mid Suffolk Joint Local Plan (Part 1) Adopted November 2023 (C)
		specific types of housing to accommodate specific needs.
BALT4: Exception Sites	<p>This policy is consistent with paragraph 76 and 82 of the NPPF which encourage community led housing developments and rural exceptions sites, promoting responsiveness to local circumstances and to support housing that reflects local needs including supporting opportunities to bring forward rural exceptions sites which will provide affordable housing to meet local needs.</p> <p>Policy BALT4 supports the principle of rural exception sites and sets out criteria for their identification and for governing their implementation.</p>	<p>This policy is consistent with BMSJLP Policy LP07 Community Led and Rural Exceptions Housing which supports rural exception sites.</p>
BALT5: Residential Amenity	<p>This policy is consistent with NPPF paragraph 198 a)-c) which requires planning policies to ensure that new development is appropriate to its location taking into account the likely effects of pollution on health, living conditions and the natural environment. This includes impacts relating to noise from development and impacts upon amenity.</p>	<p>This policy is consistent with BMSJLP Policy LP15 Environmental Protection and Conservation which seeks to mitigate and reduce the impact of development on amenity and contains criteria which covers issues of pollution, noise, dust, vibration etc</p>

Badwell Ash and Long Thurlow Neighbourhood Development Plan Policy (A)	NPPF December 2024 (B)	Babergh-Mid Suffolk Joint Local Plan (Part 1) Adopted November 2023 (C)
BALT6: Parish wide community facilities	<p>This policy seeks to retain existing community facilities. This policy consistent with criterion c of paragraph 98 which urges planning policies to “guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs”.</p> <p>Policy BALT6 seeks to retain the existing community facilities within the parish and provides support for proposals that would increase their benefit to the local community.</p>	<p>This policy is consistent with BMSJLP Policy LP28` which supports the provision of new community facilities and also protects existing facilities unless criteria relating to viability and alternative provision can be satisfied.</p>
BALT7: Badwell Ash village Hall	<p>This policy is a locally distinctive policy relating to the Village Hall and there is no corresponding reference in the NPPF.</p>	<p>This policy is locally distinctive policy relating to the Village Hall and there is no corresponding policy in the BMSJLP Part 1.</p>
BALT8: Infrastructure	<p>This policy is consistent with the criteria set out in paragraph 98 which requires planning policies to plan to provide the social, recreational and cultural facilities and services that the community needs.</p>	<p>This policy is consistent with BMSJLP Poicy SP08 Strategic Infrastructure Provision which ensures that all will make provision for contributions towards community infrastructure.</p>

Badwell Ash and Long Thurlow Neighbourhood Development Plan Policy (A)	NPPF December 2024 (B)	Babergh-Mid Suffolk Joint Local Plan (Part 1) Adopted November 2023 (C)
BALT9: Flood risk and mitigation	<p>The policy is also consistent with NPPF paragraph 170 which encourages development to be directed away from areas of Flood risk and should not increase Flood risk elsewhere.</p> <p>Policy BALT9 contains specific support for the inclusion of floodrisk measures within new developments to protect against flooding and pollution and also to provide biodiversity benefits.</p>	<p>This policy is consistent with JLP Policy LP27: 'Flood risk and vulnerability' which seeks to divert development away from areas at risk of flooding and encourages development proposals to mitigate their flood risk and surface water impacts</p>
BALT10: Pedestrian and cycle connectivity	<p>This policy is consistent with NPPF paragraph 116 c) which seeks to create secure and attractive places which minimise the scope for conflict between pedestrians, cyclist, and vehicles..</p> <p>Policy BALT10 aims to increase opportunities for walking and cycling,</p>	<p>This policy is consistent with BMSJLP Policy LP29 Safe Sustainable and Active Transport which encourages walking and cycling and the creation of new and safe routes and links for pedestrians and cyclists.</p>
BALT11: Public rights of way	<p>This policy is consistent with paragraph 109 (e) of the NPPF which promotes opportunities for walking and cycling.</p> <p>Policy BALT11 protects existing public rights of way</p>	<p>This policy is consistent with BMSJLP Policy LP29 Safe Sustainable and Active Transport which encourages walking and cycling and the</p>

Badwell Ash and Long Thurlow Neighbourhood Development Plan Policy (A)	NPPF December 2024 (B)	Babergh-Mid Suffolk Joint Local Plan (Part 1) Adopted November 2023 (C)
		creation of new and safe routes and links for pedestrians and cyclists.
BALT12: Traffic management and safety	This policy is consistent with paragraph 115 d of the NPPF which considers the impacts of new development on highway safety and ensures that the detrimental traffic impacts of development are mitigated.	This policy is consistent with JLP Policy LP29: ' <i>Safe, Sustainable and Active Transport</i> ', which requires all new development proposals that are expected to, or likely to cause a significant increase in transport movements to be supported by a transport statement and if appropriate a transport assessment. Furthermore, significant impacts on highway safety or the function of the highway network must be mitigated. Impact on highway safety must not be unacceptable and the residual cumulative impacts on the road network must not be severe.
BALT13: New and existing business	This policy reflects NPPF para 85 which requires planning policies and decisions to help create the conditions in which businesses can invest, expand, and adapt.	This policy is consistent with BMSJLP Policy LP09 Supporting a prosperous economy which supports new

Badwell Ash and Long Thurlow Neighbourhood Development Plan Policy (A)	NPPF December 2024 (B)	Babergh-Mid Suffolk Joint Local Plan (Part 1) Adopted November 2023 (C)
	<p>Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. It is also consistent with paragraph 88a which allows for "the sustainable growth and expansion of all types of business in rural areas both through the conversion of existing buildings and well designed, new buildings".</p>	<p>employment development in appropriate locations including extensions to existing enterprises and also Policy LP10 which seeks to safeguard existing sites in employment use.</p>
BALT14: Biodiversity	<p>This policy reflects NPPF paragraph 187 a) which requires planning policies to enhance the natural and local environment by protecting and enhancing sites of biodiversity value. Furthermore NPPF paragraph 187 d) requires that policies minimise impacts on and provide net gains for biodiversity.</p> <p>Policy BALT14 seeks to retain existing biodiversity features, habitats and species within the parish and provides guidance on enhancement and requires</p>	<p>This policy is consistent with BMSJLP Policy LP16 Biodiversity and Geodiversity which requires development to follow a hierarchy of seeking firstly to; enhance habitats, avoid impacts, mitigate against harmful impacts, or as a last resort compensate for losses that cannot be avoided or mitigated for.</p>

Badwell Ash and Long Thurlow Neighbourhood Development Plan Policy (A)	NPPF December 2024 (B)	Babergh-Mid Suffolk Joint Local Plan (Part 1) Adopted November 2023 (C)
	<p>proposals to provide net gain for biodiversity, targeting enhancements to specific areas within the parish.</p> <p>The policy is supported by the Landscape and Biodiversity Evaluation of the parish produced by Wilder Ecology in 2024.</p>	<p>Development should protect designated and, where known, potentially designated sites. Development which is likely to have an adverse impact upon designated and potential designated sites, or that will result in the loss or deterioration of irreplaceable biodiversity or geological features, or habitats (such as ancient woodland and veteran/ancient trees) will not be permitted unless there is no alternative.</p>
BALT15: Eco Design and Low Carbon	<p>This policy is consistent with NPPF paragraph 165 which requires plans to provide a positive strategy for energy from renewable and low carbon sources.</p> <p>This policy is consistent with paragraph 162-163 of the NPPF which requires plans to take a proactive approach to mitigating and adapting to climate change.</p>	<p>This policy is consistent with BMSJLP Policy LP23 Sustainable Construction and Design which requires all new residential development to achieve reductions in CO2 emissions, meet high water efficiency standards, demonstrate climate change adaptation and mitigation</p>

Badwell Ash and Long Thurlow Neighbourhood Development Plan Policy (A)	NPPF December 2024 (B)	Babergh-Mid Suffolk Joint Local Plan (Part 1) Adopted November 2023 (C)
	<p>This policy reflects NPPF para 167 which gives significant weight to the need to support energy efficiency and low carbon improvements.</p> <p>Policy BALT15 contains specific support for the inclusion of environmental measures within new developments</p>	<p>measures by adopting effective design principles, be designed to minimise the energy demand of the building through maximising natural sunlight and ventilation, effectively utilising solar gain and to help buildings respond to winter and summer temperatures and incorporating flood mitigation measures, provide energy efficiency measures with a proactive approach to improving on the minimum standards specified in the Building Regulations where possible.</p> <p>Policy BALT15 takes a long term approach and seeks to ensure building construction and design improve on current standards.</p>
BALT16: Dark Skies	<p>This policy is consistent with NPPF paragraph 198 a)-c) which requires planning policies to ensure that new</p>	<p>This policy reflects BMSJLP Policy LP17 which requires proposals to be</p>

Badwell Ash and Long Thurlow Neighbourhood Development Plan Policy (A)	NPPF December 2024 (B)	Babergh-Mid Suffolk Joint Local Plan (Part 1) Adopted November 2023 (C)
	<p>development is appropriate to its location taking into account the likely effects of pollution on health, living conditions and the natural environment. This includes impacts relating to noise from development, impacts upon amenity and light pollution on intrinsically dark landscapes and nature conservation.</p> <p>Policy BALT16 seeks to address issues relating to dark skies and seeks to protect the existing dark skies of the parish and provides criteria for controlling light pollution</p>	<p>sensitive to their landscape and visual amenity impacts (including on dark skies and tranquil areas); subject to siting, design, lighting, etc along with the associated mitigation measures.</p>
BALT17: Landscape character and settlement gaps	<p>This policy reflects NPPF para 135 b) and c) which require planning policies to ensure that developments are 'visually attractive as a result of 'appropriate and effective landscaping'...and are sympathetic to ...the surrounding built environment and landscape setting'. In addition paragraph 187 a) of the framework which advocates 'protecting and enhancing valued landscapes' and NPPF paragraph 187b) which recognises the need to contribute to and enhance the intrinsic character and beauty of the countryside'.</p>	<p>This policy reflects BMSJLP Policy LP17 which requires proposals to be sensitive to their landscape and reinforce the local distinctiveness and identity of individual settlements.</p>

Badwell Ash and Long Thurlow Neighbourhood Development Plan Policy (A)	NPPF December 2024 (B)	Babergh-Mid Suffolk Joint Local Plan (Part 1) Adopted November 2023 (C)
BALT18: Badwell Ash: Important Views	<p>This policy reflects NPPF para 187 a) and b) which requires planning policies to 'protect and enhance valued landscapes ...'and recognise the intrinsic character and beauty of the countryside'</p> <p>Policy BALT18 identifies 11 specific important public views which new development should take account of.</p>	<p>This policy reflects BMSJLP Policy LP17 which refers to the need for new development to integrate positively with the existing landscape character of the area and reinforce the local distinctiveness and identity of individual settlements. Proposals must be sensitive to their landscape and visual amenity impacts.</p>
BALT19: Badwell Ash: Local Green Spaces	<p>This policy reflects NPPF paras 106-108 which advocate "The designation of land as Local Green Space through local and neighbourhood plans allows communities to identify and protect green areas of particular importance to them."</p> <p>Policy BALT19 proposes 19 Local Green Spaces in Badwell Ash which have been against the criteria in the NPPF.</p>	<p>This policy reflects BMSJLP paragraph 16.06 which refers to the designation of Local Green Space in Neighbourhood Plans.</p>
BALT20: Badwell Ash: Non	<p>This policy reflects NPPF paragraph 216 which outlines the approach to assessing the impact of applications on non-designated heritage assets. 'In weighing applications that directly or indirectly affect non-designated heritage</p>	<p>This policy is consistent with BMSJLP Policy LP19 The Historic Environment which recognises the importance of safeguarding and enhancing the</p>

Badwell Ash and Long Thurlow Neighbourhood Development Plan Policy (A)	NPPF December 2024 (B)	Babergh-Mid Suffolk Joint Local Plan (Part 1) Adopted November 2023 (C)
Designated Heritage Assets	<p>assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'</p> <p>The policy identifies 23 Non-Designated Heritage Assets in Badwell Ash which are important to the local character of the area.</p>	<p>Historic Environment. It also recognises the importance of the contribution that non-designated heritage assets can make to the character of an area and provides guidance for assessing the impact of applications on non-designated heritage assets</p>
BALT21: Badwell Green: Important Views	<p>This policy reflects NPPF para 187 a) and b) which requires planning policies to 'protect and enhance valued landscapes ...'and recognise the intrinsic character and beauty of the countryside'</p> <p>Policy BALT21 identifies four specific important public views which new development should take account of.</p>	<p>This policy reflects BMSJLP Policy LP17 which refers to the need for new development to integrate positively with the existing landscape character of the area and reinforce the local distinctiveness and identity of individual settlements. Proposals must be sensitive to their landscape and visual amenity.</p>
BALT22: Badwell Green: Non	<p>This policy reflects NPPF paragraph 216 which outlines the approach to assessing the impact of applications on non-designated heritage assets. 'In weighing applications that directly or indirectly affect non-designated heritage</p>	<p>This policy is consistent with BMSJLP Policy LP19 The Historic Environment which recognises the importance of the contribution that non-designated</p>

Badwell Ash and Long Thurlow Neighbourhood Development Plan Policy (A)	NPPF December 2024 (B)	Babergh-Mid Suffolk Joint Local Plan (Part 1) Adopted November 2023 (C)
Designated Heritage Assets	<p>assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'</p> <p>The policy identifies two Non-Designated Heritage Assets within Badwell Green which are important to the local character of the area.</p>	<p>heritage assets can make to the character of an area and provides guidance for assessing the impact of applications on non-designated heritage assets</p>
BALT23: Long Thurlow: Important Views	<p>This policy reflects NPPF para 187 a) and b) which requires planning policies to 'protect and enhance valued landscapes ...'and recognise the intrinsic character and beauty of the countryside'</p> <p>Policy BALT23 identifies six specific important public views which new development should take account of.</p>	<p>This policy reflects BMSJLP Policy LP17 which refers to the need for new development to integrate positively with the existing landscape character of the area and reinforce the local distinctiveness and identity of individual settlements. Proposals must be sensitive to their landscape and visual amenity impacts.</p>
BALT24: Long Thurlow: Local Green Spaces	<p>This policy reflects NPPF paras 106-108 which advocate "The designation of land as Local Green Space through local and neighbourhood plans allows communities to identify and protect green areas of particular importance to them."</p>	<p>This policy reflects BMSJLP paragraph 16.06 which refers to the designation of Local Green Space in Neighbourhood Plans.</p>

<p>Badwell Ash and Long Thurlow Neighbourhood Development Plan Policy (A)</p>	<p>NPPF December 2024 (B)</p>	<p>Babergh-Mid Suffolk Joint Local Plan (Part 1) Adopted November 2023 (C)</p>
	<p>Policy BALT24 proposes a single Local Green Space in the parish which have been against the criteria in the NPPF.</p>	
<p>BALT25: Long Thurlow: Non Designated Heritage Assets</p>	<p>This policy reflects NPPF paragraph 216 which outlines the approach to assessing the impact of applications on non-designated heritage assets. 'In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'</p> <p>The policy identifies four Non-Designated Heritage Assets in Long Thurlow which are important to the local character of the area.</p>	<p>This policy is consistent with BMSJLP Policy LP19 The Historic Environment which recognises the importance of the contribution that non-designated heritage assets can make to the character of an area and provides guidance for assessing the impact of applications on non-designated heritage assets</p>

5. Compliance with Basic Condition d)

- 5.1 The NPPF 2024 states that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.¹ The appraisal of the Badwell Ash and Long Thurlow Neighbourhood Development Plan policies against NPPF policies presented above demonstrates how policies in the Neighbourhood Plan comply with the NPPF and therefore deliver sustainable development.
- 5.2. The NPPF states that the planning system has three overarching objectives which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives).

Economic, social, and environmental objectives





- 5.3 These objectives give rise to the need for the planning system to perform a number of roles as defined by the NPPF and set out below.
- 5.4 The objectives and policies contained within the Badwell Ash and Long Thurlow Neighbourhood Plan contribute towards each of these three objectives and cumulatively contribute to the achievement of sustainable development. How they achieve this is summarised below, Unsurprisingly, there is a degree of cross-over between policies and many contribute to more than one of the sustainable development objectives e.g., **BALT1 Design Guidance and Codes** which contributes to both social and environmental objectives.
- 5.5 The plan has been formulated with Sustainable Development at its heart and looks forward with an eye on the legacy created for future generations. The vision itself refers to delivering a sustainable, enduring, environmental, affordable, and high-quality legacy.

¹ Resolution 42/187 of the United Nations General Assembly

Vision statement

Badwell Ash and Long Thurlow will be a thriving, healthy, safe, rural community with good facilities for all, improved pedestrian and cycle access/ connectivity and appropriate viable businesses supported by the community. Any development will reflect current and future housing needs, be sympathetically designed, built with suitable infrastructure and be sustainable with ambitious Net Zero targets. Our local heritage will continue to be proactively valued and improved. From an environmental perspective, the rural setting, green spaces and wildlife will be protected, nurtured and enhanced.

5.6 The plan contains a set of five objectives which are identified in order to deliver the vision. These have been refined over time through consultation. The objectives cover the following themes: Design and Housing, Community Infrastructure, Accessibility, Business and Natural Environment. The objectives are as follows:

Objectives		
	Design and Housing	OBJECTIVE 1: To ensure that new housing development in the parish reflects the needs of the population both now and in the future.
	Community Infrastructure	OBJECTIVE 2: To ensure that the parish remains a thriving, healthy and safe rural community with good facilities which are accessible and available for all.
	Accessibility	OBJECTIVE 3: To encourage pedestrian and cycle connectivity within each of the individual settlements within the parish and also between them, particularly between Badwell Ash and Long Thurlow.
	Business	OBJECTIVE 4: To encourage and support local businesses, helping them to grow and flourish contributing to the economic health and sustainability of the community.



Natural Environment

OBJECTIVE 5: To protect and enhance the parish's local heritage, rural setting, green spaces and wildlife.

5.7 The objectives each support development whilst recognising the important of safeguarding and enhancing the special qualities that contribute to the specific character of Badwell Ash and Long Thurlow. These objectives when taken together cover the same extent as the sustainability objectives of the planning system as outlined in the NPPF.

5.8 The following table helps to further demonstrate the Plan's comprehensive contribution to sustainable development.

NPPF Sustainable Development	Contribution through Badwell Ash and Long Thurlow Neighbourhood Plan Policies
<p>NPPF 2024</p> <p>An economic objective: to help build a strong, responsive, and competitive economy, by ensuring that sufficient land of the right types is available in the right places, and at the right time to support growth, innovation, and improved productivity; and by identifying and co-ordinating the provision of infrastructure.</p>	<p>OBJECTIVE 4: To encourage and support local businesses, helping them to grow and flourish contributing to the economic health and sustainability of the community .</p> <p>POLICY BALT8: Infrastructure. This policy emphasises the importance of ensuring that appropriate infrastructure to support new housing and job opportunities is in place in a timely manner.</p> <p>BALT13: New and existing business. This policy provides support for existing business in the parish and for expansion which would provide opportunities for local job creation.</p>
<p>NPPF 2024</p> <p>A social objective: to support strong, vibrant, and healthy communities by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-</p>	<p>OBJECTIVE 1: To ensure that new housing development in the parish reflects the needs of the population both now and in the future.</p> <p>OBJECTIVE 2: To ensure that the parish remains a thriving, healthy and safe rural community with good facilities which are accessible and available for all.</p> <p>OBJECTIVE 3: To encourage pedestrian and cycle connectivity within each of the individual settlements within the parish and also between</p>

designed, and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

them, particularly between Badwell Ash and Long Thurlow.

OBJECTIVE 4: To encourage and support local businesses, helping them to grow and flourish contributing to the economic health and sustainability of the community

OBJECTIVE 5: To protect and enhance the parish's local heritage, rural setting, green spaces and wildlife.

POLICY BALT1: Design guidance and codes. This policy, based on the Design Guidance and Codes, seeks to ensure that new development is well designed, and reflects the local distinctiveness and character of the policy.

POLICY BALT2: Scale and pattern of new housing development. This policy seeks to control the scale and pattern of new development in the parish and ensure that it is sustainably located to best benefit the community.

POLICY BALT3: Housing Mix. This policy, based on the Housing Needs Assessment, aims to ensure that a sufficient number and range of homes can be provided to meet the needs of present and future residents

POLICY BALT4: Exception Sites. This policy provides guidance for the consideration of exception sites for new development aimed specifically at meeting an identified community need.

POLICY BALT5: Residential Amenity. This policy controls the impacts of development on the amenity of existing residents.

POLICY BALT6: Parish wide community facilities. This policy provides support for existing community facilities and identifies new and enhanced facilities for the parish.

POLICY BALT7: Badwell Ash village hall. This is a locally distinctive policy which expresses support for proposals to improve, extend or

redevelop the existing village hall to the benefit of the community.

POLICY BALT8: Infrastructure. This policy emphasises the importance of ensuring that appropriate infrastructure to support new housing is in place in a timely manner.

POLICY BALT9: Flood risk and mitigation. This policy seeks to ensure that new development does not present new or exacerbate existing drainage and surface water problems.

POLICY BALT10: Pedestrian and cycle connectivity. This policy seeks to ensure that new development is properly connected to the existing community and supports the provision of new and improved pedestrian and cycle connections.

POLICY BALT11: Public rights of way. This policy protects existing rights of way.

POLICY BALT12: Traffic management and safety. This policy seeks to ensure that new development is safe and will not result in adverse traffic impacts.

POLICY BALT13: New and existing business. This policy provides support for existing business in the parish and for expansion which would provide opportunities for local job creation.

POLICIES BALT18, 21, 23 Important Views. This suite of policies identify important public views throughout the parish and ensure that new development take account of their landscape value.

POLICIES BALT19 and 22 Local Green Spaces. This suite of policies identify Local Green Spaces in Badwell Ash and Long Thurlow which are demonstrably important to the local community.

POLICIES BALT20, 22, 25 Non Designated Heritage Assets. This suite of policies identify a number of Non Designated Heritage Assets throughout the parish which are important to its character and heritage.

NPPF 2024

An environmental role: to protect and enhance our natural, built, and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

OBJECTIVE 2: To ensure that the parish remains a thriving, healthy and safe rural community with good facilities which are accessible and available for all.

OBJECTIVE 3: To encourage pedestrian and cycle connectivity within each of the individual settlements within the parish and also between them, particularly between Badwell Ash and Long Thurlow.

OBJECTIVE 5: To protect and enhance the parish's local heritage, rural setting, green spaces and wildlife.

POLICY BALT1: Design guidance and codes. This policy, based on the Design Guidance and Codes, seeks to ensure that new development is well designed, and reflects the local distinctiveness and character of the policy.

POLICY BALT2: Scale and pattern of new housing development. This policy seeks to control the scale and pattern of new development in the parish and ensure that it is sustainably located to best benefit the community.

POLICY BALT9: Flood risk and mitigation. This policy seeks to ensure that new development does not present new or exacerbate existing drainage and surface water problems.

POLICY BALT10: Pedestrian and cycle connectivity. This policy seeks to ensure that new development is properly connected to the existing community and supports the provision of new and improved pedestrian and cycle connections.

POLICY BALT11: Public rights of way. This policy protects existing rights of way.

POLICY BALT14: Biodiversity. This policy, based on the Landscape and Biodiversity Evaluation of the parish, identifies important natural features in the parish and seeks to protect and enhance their biodiversity value.

POLICY BALT15: Eco Design and Low Carbon. This policy promotes high environmental

standards for new development and encourages adapting to climate change, including moving to a low carbon economy.

POLICY BALT16: Dark skies. This policy protects the existing dark skies of the parish and provides criteria to control new lighting schemes.

POLICY BALT17: Landscape Character and settlement gaps. This policy seeks to protect the landscape character of the parish and ensure that the local distinctiveness and separate identity of the areas of built settlement in the parish is retained.

POLICIES BALT18, 21, 23 Important Views. This suite of policies identify important public views throughout the parish and ensure that new development take account of their landscape value.

POLICIES BALT19 and 24 Local Green Spaces. This suite of policies identify Local Green Spaces in Badwell Ash and Long Thurlow which are demonstrably important to the local community.

POLICIES BALT20, 22, 25 Non Designated Heritage Assets. This suite of policies identify a number of Non Designated Heritage Assets throughout the parish which are important to its character and heritage.

6. Compliance with Basic Condition f)

- 6.1 The statement below demonstrates how the Badwell Ash and Long Thurlow Neighbourhood Development Plan is compliant with Basic Condition f) specifically that it does not breach and is compatible with EU obligations.
- 6.2 As outlined above, this is the Basic Conditions Statement which accompanies the Submission Version of the Badwell Ash and Long Thurlow Neighbourhood Plan.
- 6.3 Mid Suffolk District Council recommends that the Strategic Environmental Assessment (SEA) and Habitats Regulation Assessment (HRA) Screening processes be undertaken at Pre-Submission stage. The SEA and HRA Screening Assessments were carried out on the Pre-Submission Version of the Neighbourhood Plan by consultants LUC acting on behalf of Mid Suffolk District Council in November 2024.
- 6.3 The SEA Screening Report takes into account the latest regulations, guidance and court judgements relating to this area including CJEU People Over Wind v Coillte Teoranta C-323/17 which rules that mitigation measures cannot be taken into account when carrying out a screening assessment to decide whether a plan or project is likely to result in significant effects on a Habitats site. The HRA Screening Report therefore does not consider mitigation measures within the assessment of Likely Significant Effects resulting from the Badwell Ash and Long Thurlow Neighbourhood Development Plan. The Screening report also considers the impact of the judgement CJEU Holohan C- 461/17, which imposes more detailed requirements in the competent authority at Appropriate Assessment Stage.
- 6.4 The SEA screening report produced by LUC concludes that the Badwell Ash and Long Thurlow NP *“does not directly impact on land use through the allocation of sites for housing or other forms of development.”* and that on this basis that *...“[it] is unlikely to have significant environmental effects and full SEA is therefore not required.”*
- 6.5 Consultation on the Screening Report was carried out with Natural England, Historic England, and the Environment Agency in November and December 2024. Historic England and Natural England agreed with the conclusion of the Screening Report and their responses are set out in the Appendices to the Screening Determination Notice produced by Mid Suffolk. There was no response from the Environment Agency.

6.8 Mid Suffolk's Screening Determination dated December 2024 therefore concluded that:

"In light of the SEA Screening Report (November 2024) prepared by LUC and having also considered the responses to this from the statutory consultees, it is our determination that the Badwell Ash & Long Thurlow Neighbourhood Plan 2024 - 2038 (Sept 2024) 'does not require' a Strategic Environmental Assessment in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004."

Human Rights

6.9 In addition, the Neighbourhood Plan has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act 1998. The accompanying Consultation Statement sets out the process followed in terms of community involvement. It should be noted that the community consultation undertaken by the Neighbourhood Plan Steering Group on behalf of the Parish Council as Qualifying body far exceeds the statutory requirements as laid out in the regulations and therefore meets this Basic Condition. .

7. Compliance with Basic Condition g)

7.1 An additional basic condition is prescribed under Regulation 32 of the Neighbourhood Planning (General) Regulations 2012 as follows:

“The making of the Neighbourhood Development Plan is not likely to have any significant effect on a European Site (as defined in the Conservation of Habitats and Species Regulations 2010 (2)) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c) Regulations 2007 (3)), (either alone or in combination with other plans and projects)”.

7.2 The HRA screening report produced by LUC in November 2024, considers whether the Pre-Submission Draft Badwell Ash & Long Thurlow Neighbourhood Plan policies could have likely significant effects either alone or in combination. The HRA Screening Report concludes that: *“none of the policies of the Badwell Ash & Long Thurlow Neighbourhood Plan are expected to directly result in development (for the reasons detailed above), they will not result in significant effects on European sites. Therefore, consideration does not need to be given to the potential impact pathways to each European site”.*

7.3 Therefore, no likely significant effects are predicted as a result of the plan.

7.4 Natural England were invited to comment on the HRA Screening Report and in their response from December 2024 indicated that *“It is Natural England’s advice, on the basis of the material supplied with the consultation, that:*

- significant effects on statutorily designated nature conservation sites or landscapes are unlikely; and,*
- significant effects on Habitats sites¹, either alone or in combination, are unlikely.*

The proposed neighbourhood plan is unlikely to significantly affect any Site of Special Scientific Interest (SSSI), Marine Conservation Zone (MCZ), Special Areas of Conservation (SAC), Special Protection areas (SPA), Ramsar wetland or sites in the process of becoming SACs or SPAs (‘candidate SACs’, ‘possible SACs’, ‘potential SPAs’) or a Ramsar wetland. The plan area is unlikely to have a significant effect on a National Park, Area of Outstanding Natural Beauty or Heritage Coast, and is unlikely to impact upon the purposes for which these areas are designated or defined”.

7.5 MSDC issued their HRA Screening Determination in December 2024 and in it concluded that:

“In light of the HRA Screening Report (November 2024) prepared by LUC and having considered the responses to this from the statutory consultees, it is our determination that the Badwell Ash and Long Thurlow Neighbourhood Plan is ‘screened out’ from further assessment under the Habitats Regulations 2017 and that an Appropriate Assessment is not required.”

7.6 Badwell Ash and Long Thurlow Parish Council therefore considers that the Neighbourhood Plan meets the additional prescribed basic condition.