



Barrow cum Denham Neighbourhood Plan

Basic Conditions Statement

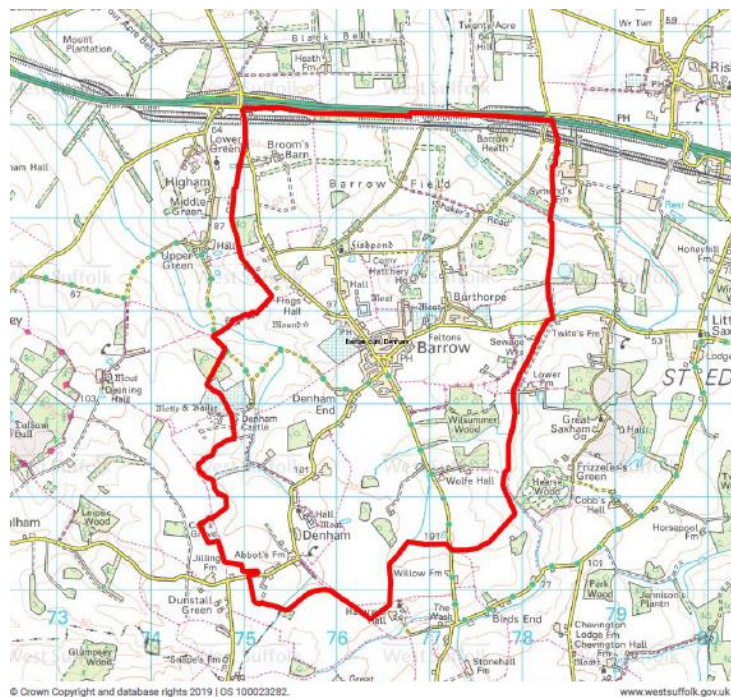
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1. Introduction

- 1.1 The submission of a Neighbourhood Plan for Examination, requires the ‘qualifying body’ to demonstrate compliance with a number of ‘basic conditions’. This Statement has been produced by Barrow-cum-Denham Parish Council as the ‘qualifying body’ to accompany the submitted Barrow-cum-Denham Neighbourhood Plan (‘the BCDNP’).
- 1.2 The Neighbourhood Plan Steering Group, comprising local councillors and volunteers, has prepared the BCDNP to establish a vision for the future of the neighbourhood area and a range of objectives to deliver this vision. The steering Group has engaged with the community to set out how the vision will be realised through strategic planning and the control of land use and development over the plan period 2019 to 2041.
- 1.3 The relevant legal framework for the preparation and making of neighbourhood plans is supported by the Localism Act 2011 and the Neighbourhood Planning Act 2017 and found in the:
- Town and Country Planning Act 1990: ss. 61F, 61I, 61M-P and Schedule 4B
 - Planning and Compulsory Purchase Act 2004: ss 38A-C
 - Neighbourhood Planning (General) Regulations 2012 (2012 No.637) (as amended)
- 1.4 This Basic Conditions Statement supports the submission of the BCDNP to West Suffolk Council, as local planning authority, under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (‘the Regulations’). Regulation 15 requires a submission neighbourhood plan to be accompanied by a statement explaining how the proposed neighbourhood plan meets the requirements of paragraph 8(2) of Schedule 4B to the 1990 Act.
- 1.5 Paragraph 8(2) of Schedule 4B to the Town & Country Planning Act 1990 requires a neighbourhood plan to meet five basic conditions before it can proceed to a referendum. These basic conditions are:
- i. Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan;
 - ii. The making of the neighbourhood development plan contributes to the achievement of sustainable development;
 - iii. 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);
 - iv. The making of the neighbourhood development plan does not breach, and is otherwise compatible with, (retained) EU obligations; and

v. Prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the neighbourhood plan. The prescribed condition is that the 'making' of the neighbourhood plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2012) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats etc.) Regulations 2007) (either alone or in combination with other plans or projects).

1.6 This statement sets out how the BCDNP meets these basic conditions and has been prepared to confirm compliance as follows:

- **Section 2** identifies the general legislative requirements for the preparation of a neighbourhood plan and how the BCDNP meets these requirements;
- **Section 3** confirms how the BCDNP responds to the Basic Conditions that the appointed Neighbourhood Plan Examiner must consider.
- **Section 4** addresses how the BCDNP meets the requirements of the European Union Obligations in relation to Strategic Environmental Assessment (SEA), the Habitats Regulations and Human Rights.

1.7 This Statement concludes that the BCDNP complies with the requirements of the basic conditions as set out in Paragraph 8(1)(a) of Schedule 4B of the Act.

1.8 The BCDNP sets out planning policies that relate to the development and use of land only within the identified BCD Neighbourhood Plan Area and there are no other adopted Neighbourhood Plans that cover all, or part of, the BCD Neighbourhood Area.

1.9 The BCDNP is also supported by a Consultation Statement and an extensive evidence base, which includes both a Strategic Environmental Assessment (SEA) and a Habitat Regulations Assessment (HRA) prepared by AECOM.

2. Meeting Legal Requirements

Basic Conditions

- 2.1 Paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990 (as amended) identifies the 'basic conditions' that a neighbourhood plan must comply with. In this regard, Paragraph 8 (1) states that the Examiner must consider:
- (a) whether the draft neighbourhood development plan meets the basic conditions
 - (b) whether the draft neighbourhood development plan complies with the provision made by or under sections 38A and 38B of the Act,
 - (d) whether the area for any referendum should extend beyond the neighbourhood area to which the draft neighbourhood development plan relates, and
 - (e) such other matters as may be prescribed.
- 2.2 Paragraph 8 (2) states that a draft neighbourhood development plan meets the basic conditions if:
- (a) having regard to national policies and advice contained in guidance by the Secretary of State, it is appropriate to make the neighbourhood development plan,
 - (d) the making of the neighbourhood development plan contributes to the achievement of sustainable development,
 - (e) the making of the neighbourhood development plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area),
 - (f) the making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations, and
 - (g) prescribed conditions are met in relation to the neighbourhood development plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood development plan.
- 2.3 The requirements of Paragraph 8(2)(b), (2)(c) (3), (4) and (5) are not relevant to the Neighbourhood Plan in terms of the compliance with the basic conditions tests.
- 2.4 The compliance of the BCDNP with the above legal requirements is set out overleaf:

Table 1: Assessment of the BCDNP against the Legal Requirements

Requirement	Explanation	Compliance
4B 8 (1)(a) Whether the Draft NP meets the Basic Conditions	This requires the NP to demonstrate compliance with paragraph 8(2) of Schedule 4B of the T&CP Act.	This is considered in context later within this Statement.
4B 8 (1)(b) Whether the Draft Order Complies with Sections 38A & 38B of the Compulsory Purchase Act 2004	This requires the draft order to comply with Sections 38A & 38B of the Compulsory Purchase Act 2004. Section 38A sets out the “Meaning of Neighbourhood Development Plan”.	Compliance with Sections 38A and 38B are demonstrated below:
	<p>Section 38A(1)</p> <p>‘any qualifying body is entitled to initiate a process for the purpose of requiring a Local Planning Authority in England to make a Neighbourhood Development Plan.’</p>	The Neighbourhood Plan has been prepared and submitted by Barrow cum Denham Parish Council, a qualifying body (as defined in the Localism Act 2011).
	<p>Section 38A(2)</p> <p>A ‘Neighbourhood Development Plan is a plan which sets out policies (however expressed) in relation to the development and use of land in the whole or any part of a particular neighbourhood area specified in the plan.’</p>	The BCDNP sets out a range of policies that relate to the control of development and use of land within the Parishes of Barrow and Denham as designated in the Plan shown at Figure 1 of the BCDNP.
	<p>Section 38B1(a)</p> <p>The Neighbourhood Plan ‘must specify the period to which it is to have effect.’</p>	The relevant plan period of the BCDNP extends to 2041.
	<p>Section 38B1(b)</p> <p>A Neighbourhood Development Plan ‘may not include provision about development that is excluded development.’</p>	The BCDNP does not contain any policies relating to excluded development as defined in Section 61K of the Planning and Compulsory Purchase Act 2004.

	<p>Section 38B1(c)</p> <p>A Neighbourhood Development Plan may not relate to more than one neighbourhood area</p>	<p>The BCDNP relates to the control of development and use of land solely within the Parishes of Barrow and Denham as designated in the Plan shown at Figure 1 of the BCDNP.</p>
	<p>Section 38B(2)</p> <p>Only one Neighbourhood Plan may be made for each neighbourhood area.</p>	<p>There are currently no other Neighbourhood Plans operating in the BCD neighbourhood area.</p>
	<p>Section 38B(3)</p> <p>If to any extent a policy set out in a Neighbourhood Plan conflicts with any other statement or information in the plan, the conflict must be resolved in favour of the policy.</p>	<p>There are no internal conflicts within the BCDNP.</p>
	<p>Section 38B(4)(a)</p> <p>The Secretary of State may make provisions for ‘restricting the provision that may be included in Neighbourhood Development Plans about the use of land.’ These Regulations are set out in Statutory Instrument 2012 No 637, The Neighbourhood Planning (General) Regulations 2012.</p>	<p>The Neighbourhood Planning (General) Regulations 2012 have been used to inform the process of making the HNP.</p>
	<p>Section 38B(4)(b)</p> <p>Regulations made by the Secretary of State may make provisions ‘requiring Neighbourhood Development Plans to include such matters as prescribed in the Regulations.’</p>	<p>The BCDNP is accompanied by an SEA and an HRA for the BCD plan area and the policies within the BCDNP respond to the relevant outputs and recommendations of the SEA and HRA.</p>
<p>4B 8 (1)(d) Whether The Referendum Should Extend Beyond The NP Area</p>	<p>This requires the Examiner to consider whether the area for any referendum should extend beyond the BCDNP Area.</p>	<p>The BCDNP relates solely to land that falls within the Parishes of Barrow and Denham.</p>

3. Compliance with Basic Conditions

3.1 Paragraph 8(2) of Schedule 4B of the Town and Country Planning Act sets out the basic conditions that must be met by a draft Neighbourhood Plan. Subsections (a), (d), (e), (f), and (g) are of relevance to this Statement. The Regulations state that the Neighbourhood Plan will have met the basic conditions if all of the preceding criteria set out above at Paragraph 2.2 of this Statement are met.

Basic Condition (a) Having Regard to National Policies and Advice

3.2 To meet this condition, it is necessary to demonstrate that the BCDNP has had regard to national planning policies and the advice contained in guidance issued by the Secretary of State. National policy and guidance is contained within the National Planning Policy Framework ('NPPF') and the Planning Practice Guidance ('PPG'). In this regard, whilst it is noted that a new draft NPPF has recently been the subject of public consultation, the BCDNP has been prepared in accordance with the 2023 NPPF.

National Planning Policy Framework (NPPF) 2023

3.3 The NPPF has a number of key objectives which are relevant to the BCDNP, these are:

- Delivering a sufficient supply of homes
- Building a strong, competitive economy
- Promoting healthy and safe communities
- Promoting sustainable transport
- Supporting high quality communications
- Making effective use of land
- Achieving well-designed places
- Meeting the challenge of climate change, flooding and coastal change
- Conserving and enhancing the natural environment
- Conserving and enhancing the historic environment

3.4 The following section explains how the BCDNP contributes to meeting these objectives, (where relevant) and also notes the specific national policies that the BCDNP is intended to support and supplement.

3.5 The BCDNP has six key objectives which are set out on page 44 and 45 of the BCDNP and which are set out in **Table 2** on page 9 of this Statement, alongside the corresponding relevant NPPF objectives, identified above.

Table 2: Assessment of the BCDNP Key Objectives against the Objectives of the 2023 NPPF.

BCD Key Objective	Relevant NPPF Objective(s)
<p>Built and Natural Environment</p> <p>To ensure that future new growth is fully integrated so that the Parishes of Barrow (including Burthorpe) and Denham retain their distinctive and separate rural characters and qualities.</p> <p>To ensure that all new development is well designed and enhances and contributes to the diverse rural character of the Parishes of Barrow and Denham.</p> <p>To protect the existing settlement identities of Barrow, Denham and Burthorpe by preventing any coalescence, or the erosion of any sensitive green gaps between the settlements.</p> <p>To protect and where possible, enhance, all positive features of the existing built and historic environment, including individual building design features, as part of new development proposals.</p> <p>To protect and enhance important open green spaces and other cherished natural areas within the Neighbourhood Plan Area.</p> <p>To maintain existing distinctive views and visual connectivity with the surrounding countryside from within the built-up areas of Barrow, Denham and Burthorpe.</p> <p>To protect and wherever possible, seek to enhance natural biodiversity in all forms of new development.</p>	<ul style="list-style-type: none"> • Achieving well-designed places • Promoting healthy and safe communities • Conserving and enhancing the natural environment • Conserving and enhancing the historic environment

<p>Health and Wellbeing</p> <p>To retain a strong sense of community for both existing and future new residents.</p> <p>To ensure that the Parishes of Barrow and Denham remain pleasant and integrated spaces to live and work, providing a high quality of life for all its residents.</p> <p>To encourage a healthy and active community via sustainable access to outdoor sport and recreation for the benefit of all the community.</p> <p>To support new development proposals which provide facilities to assist the development of long-term health and wellbeing in the Parishes of Barrow and Denham.</p>	<ul style="list-style-type: none"> • Promoting healthy and safe communities • Achieving well-designed places
<p>New and Existing Community Facilities</p> <p>To protect existing community facilities, including retail, education and recreation facilities and support further growth in these areas as appropriate.</p> <p>To encourage the complementary provision of new facilities, and/or other support, in association with new development proposals.</p> <p>To encourage the use of both new and existing community facilities by all sections of the community.</p> <p>To resist development proposals that would result in a net loss of existing community facilities in Barrow-cum-Denham, unless exceptionally justified.</p>	<ul style="list-style-type: none"> • Promoting healthy and safe communities • Achieving well-designed places • Promoting sustainable transport

<p>Support for Business and Employment</p> <p>To support the viability and retention of existing small businesses in the Parishes of Barrow and Denham and to support further small-scale business creation, in appropriate and sustainable locations in the area.</p> <p>To encourage the delivery of new infrastructure that supports existing business growth and retention and helps to facilitate sustainable new business creation.</p> <p>To support the appropriate upgrading of existing facilities, where this will help to maintain viability and would not give rise to any significant local impacts.</p>	<ul style="list-style-type: none"> • Building a strong, competitive economy • Promoting healthy and safe communities • Achieving well-designed places • Promoting sustainable transport
<p>Active Transport and Accessibility</p> <p>To help minimise the impact of future development on the existing local highway network, by encouraging walking, cycling and other non-car modes, including public transport to other areas.</p> <p>To promote and encourage measures to improve the wider safety of the roads and footways throughout the Neighbourhood Plan including the enhancement of cycle routes in the Neighbourhood Plan area.</p> <p>To promote improvements by encouraging investment in new footpath connections within Barrow, including measures to enhance pedestrian safety and facilitate further safe crossing areas.</p>	<ul style="list-style-type: none"> • Promoting healthy and safe communities • Achieving well-designed places • Promoting sustainable transport

Housing Supply and Sustainable New Homes

To ensure an adequate supply of sustainable new market and affordable housing is delivered to meet the local needs of the Neighbourhood Plan Area to 2041.

To enable local people to stay in Barrow as their household needs change, or to be able to return to the area later in life as their personal needs change.

To ensure a good mix of housing scales and types with integration between different tenures of housing within Barrow, to help maintain a strong sense of community, for both existing and future residents.

To ensure that all new homes are well designed regarding their specific location and are well integrated with the existing scale, density and character of adjacent built development in the immediate area.

To support the delivery of a new Care Home, or other forms of assisted living accommodation, to cater for later living needs, such as new bungalows.

To reduce the environmental impact of new homes and other buildings using appropriate energy and water saving technologies.

- Delivering a sufficient supply of homes
- Promoting healthy and safe communities
- Achieving well-designed places
- Meeting the challenge of climate change

Table 3: Assessment of How the Policies of the Neighbourhood Plan Conform to the NPPF.

BCD Policy	NPPF Reference	Commentary
POLICY BCD1 – The Spatial Planning Strategy	29 82	This BCDNP will help to shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. The BCDNP does not promote less development than that set out in the adopted strategic policies for the area, or undermine those adopted strategic policies. Policy BCD1 also recognises that there may be situations where it is necessary for some forms of development to take place outside of the defined Settlement Boundaries. As such, the approach does not restrict suitable sport and recreation proposals which may come forward or the conversion of existing agricultural buildings to other appropriate development uses. The spatial strategy also recognises that development for special housing needs may potentially be appropriate outside of defined Settlement Boundaries and that limited exceptions, for small scale rural affordable housing, to meet specifically identified local housing needs, may also be acceptable on suitable sites, where justified, subject to meeting other criteria.
POLICY BCD2 – Strategic Site Allocation: Land at Barrow Hill	69 70 83	In accordance with the sustainable growth spatial strategy, set out in Policy BCD1, the BCDNP provides a positive framework for future growth in the Plan period and identifies a new strategic, mixed-use site allocation for employment, around 165 additional new homes, other ancillary uses and green infrastructure to the west and east of Barrow Hill. The strategic site allocation is available, suitable and is economically viable and is likely to be delivered within 5 years of the adoption of the BCDNP. The allocation set out in the BCDNP is a medium sized site which can make an important contribution to meeting the housing requirement of the Neighbourhood Plan Area. The allocation promotes sustainable development in a rural area and the housing is located where it will enhance and maintain the vitality of rural communities. The policy positively identifies the opportunity for the village to grow and thrive and this will support local services.
POLICY BCD3 – Non Strategic Housing Delivery	70 (d) 72	A moderate allowance is made for windfall sites which is realistic having regard to historic windfall delivery rates. The BCDNP sets out policies to resist inappropriate infill development which would cause harm to the local area. All windfall proposals will need to be carefully designed and located so as to minimise any impact upon local character, street scene, local heritage and existing natural features.

<p>POLICY BCD4 – Special Needs and Local Affordable Housing</p>	<p>82</p>	<p>In the period 2019 to 2041 the BCDNP will primarily accommodate new housing delivery, within the framework set by Policies BCD2 and BCD3. Where justified, the BCDNP also facilitates limited, small scale, development outside of the defined Settlement Boundaries of Barrow and Burthorpe, to accommodate identified special housing needs that cannot be provided within the existing built up areas. Such special needs can include, but are not limited to, the provision of new accommodation for elderly and/or other vulnerable groups, or extensions to existing accommodation. This ensures that the BCDNP is responsive to local circumstances and supports housing developments that reflect local needs.</p>
<p>POLICY BCD5 – New Development and High Quality Design</p>	<p>131 132 137</p>	<p>Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Policy BCD5 of the BCDNP sets out a clear design vision and expectations. Proposals for new development within the Neighbourhood Plan area should demonstrate high standards of exterior design and generally reflect the rural vernacular. All new housing must also be of an appropriate gross internal floor area which satisfies the Nationally Described Space Standards prevailing at the time of the submitted planning application. The layout of new development, including new housing, should not be overly dominated by roads or hard surfaced car parking and should generally reflect the settlement pattern of the area, providing high levels of pedestrian permeability. Proposals for affordable housing within developments must also be socially well integrated into the overall layout of the scheme so as to be fully tenure blind and be delivered in accordance with an agreed affordable housing mix. New homes in the area should not exceed two storeys in height unless the specific site location is able to accommodate some additional storeys without any significant adverse impact upon the amenities of neighbouring occupiers.</p>
<p>POLICY BCD6 – Sustainable Design and Construction</p>	<p>158</p>	<p>Proposals for all forms of new development within the Neighbourhood Plan area, will be required to demonstrate high standards of sustainability and incorporate current best practice in energy conservation. All new buildings should incorporate sustainable design, construction and energy efficiency measures, including where feasible, the use of ground / air source heat pumps, solar heating, photo voltaic systems or other energy efficiency technologies. which should be designed, as far as possible, to be integral to the design of the building.</p>

		<p>This will help to minimise any detrimental impact on the external appearance of the building or the rural character of the area. New buildings should also make provision for sustainable waste management (including waste separation and minimisation) and grey and surface water harvesting, where feasible.</p>
<p>POLICY BCD7 – Local Employment Strategy</p>	<p>88 89</p>	<p>National policy generally supports sustainable economic growth in rural areas. In particular, the NPPF requires planning policies to assist in creating the conditions in which businesses can invest, expand and adapt. Paragraph 88 of the NPPF states that planning policies and decisions should enable the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings. As set out in the Vision and Objectives section of the BCDNP, the policy aspiration is to support the viability and retention of existing small businesses and support further small scale business creation in appropriate and sustainable locations in the Neighbourhood Plan area. The local employment strategy is therefore to seek to safeguard all existing employment generating uses, with a general presumption against the loss of all existing or designated future employment land and premises.</p> <p>The future development of the two allocated employment sites, designated by the Rural Vision 2031, continues to be supported and encouraged for light business uses appropriate to a rural area, where compatible with nearby residential amenity. In addition, the plan makes specific provision under Policy BCD2 (Land at Barrow Hill) for the accommodation of additional employment facilities, comprising modern bespoke space to support new business start-ups and other forms of agile remote working, as part of the overall allocation. Other forms of light employment, falling under the broader Class E definition of the 2021 Use Classes Order, will also be favourably considered on the BCD2 allocation site at Barrow Hill, to encourage broad spectrum employment uses to come forward, which are compatible with a rural, residential area. In addition, the Council will continue to generally support home working.</p>
<p>POLICY BCD8 – Support for New and Existing Community Facilities</p>	<p>96 97</p>	<p>The NPPF states that to support a prosperous rural economy, planning policies should enable the retention and development of accessible local services and community facilities such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship. Planning policies should therefore plan positively for the provision and use of shared spaces, community facilities and other local</p>

		<p>services in order to enhance the sustainability of communities and residential environments. Local policies should guard against the unnecessary loss of valued facilities and services, ensure that established facilities are retained and able to develop and modernise and ensure an integrated approach to the location of housing, economic uses and community facilities.</p> <p>The aim of the BCDNP is to protect existing community facilities, including retail, education and recreation facilities and to support further growth in these areas as appropriate. The complementary provision of new facilities and/or other community support, in association with new development proposals, will be encouraged. The use of both new and existing community facilities by all sections of the community will also be strongly supported.</p>
POLICY BCD9 – Support for New Sport and Recreation Facilities	102	<p>During the Plan period, new public open space and other land for recreation, within the Neighbourhood Plan area, will be delivered in association with the housing development permitted under Policies BCD2, BCD3 and BCD4 of the BCDNP. Where justified, additional, strategic sporting provision, that cannot be provided within the existing built up areas, or reasonably located within the boundaries of the strategic housing allocation, will be supported in principle, where such proposals are in accordance with Policy. BCD9 New development proposals to accommodate larger scale sporting and recreational needs, located outside of the defined Settlement Boundaries of Barrow and Burthorpe, will be considered on their individual merits, taking into account the balance of the benefits provided, weighed against any harm.</p>
POLICY BCD10 – Ecology and the Natural Environment	180	<p>The Plan makes clear that all new development proposals in the BCDNP Area should seek to conserve or enhance the biodiversity and geological interests and ensure that protected species and existing habitats will be protected and, where possible, enhanced. Proposals for larger developments should incorporate green infrastructure enhancements at a scale which can positively contribute to local networks, linking areas together and contributing to enhanced biodiversity objectives. Where development is likely to negatively affect biodiversity, the level of impact must be suitably determined and a detailed survey of species and/or habitat prepared and submitted to inform the consideration of planning applications, in accordance with relevant Local Plan policies. Any development that leads to a net increase in built development within the 1500 metre (secondary) buffer around areas outside the Breckland SPA, may require a project level HRA.</p>

		<p>The BCDNP also makes clear that where increased recreational pressure on any European or nationally designated site for nature conservation is identified, an evidence-based strategy will need to be agreed with Natural England and West Suffolk Council.</p>
<p>POLICY BCD11 – Protection of Local Heritage Assets</p>	<p>195 196 203 -209</p>	<p>Conserving and enhancing the historic environment is a core principle of the NPPF and there are numerous listed heritage assets identified in Barrow and further listed heritage assets identified in Denham.</p> <p>These heritage assets include; Barrow Church of All Saints, Barrow Hall and Barrow School, the Town Estate Room, the Weeping Willow PH, the War Memorial, Wolfe Hall, Denham St Mary’s Church, Denham Hall and Denham Castle, amongst many others (further details are set out in Appendix 1 of the BCDNP).</p> <p>Policy BCD11 supports this core principle and identifies that listed buildings are a finite resource. Accordingly, listed buildings are given significant protection through the planning system, as reflected in Policy BCD11 of the BCDNP. This requires all development proposals which directly affect, or are within close proximity to, listed buildings or other heritage assets in the area, to provide a clear justification for the works, to ensure development does not cause harm to their setting and to provide evidence that the impact of the development can be suitably weighed against any public benefits.</p> <p>The level of any justification required, should be in proportion to the significance of the listed building or other heritage asset, to ensure that the development proposal would not adversely impact the existing setting or significance of the heritage asset.</p> <p>The demolition of all or part of a listed building in Barrow and Denham, will not be supported by the Parish Council, other than in the most exceptional of circumstances. In this regard, applicants must appropriately demonstrate that every effort has been made to save the historic building, in accordance with Local Plan policies.</p> <p>The setting of a listed building is also highly important and so any development proposals within the Neighbourhood Plan Area that detract from the historic settings of affected listed buildings will also not be supported unless the identified harm is clearly outweighed by other public benefits.</p>

<p>POLICY BCD12 – Active Transport and Accessibility</p>	<p>109 114 117</p>	<p>The BCDNP seeks to minimise the impact of future new development on the existing local highway network, by encouraging walking, cycling and other non-car modes, including public transport to other areas, beyond the Neighbourhood Plan area.</p> <p>The Plan also seeks to promote and encourage measures to improve the wider safety of the roads and footways throughout the Neighbourhood Plan area, including the enhancement of local cycle routes, with proportionate investment in new public rights of way within Barrow, including measures to enhance pedestrian safety and facilitate further safe crossing areas.</p> <p>Barrow currently has eight bus stops located within the village, although there is an infrequent bus service (Bus number 312) which provides direct routes to Bury St Edmunds via Bury Road, and indirect routes to other surrounding areas.</p> <p>The nearest Train station is located at Kennet, which is located approximately 4 miles to the north of Barrow. Whilst the Parish Council acknowledges the wider accessibility constraints of a rural area location, the Parish Council seeks to reduce over-reliance on the private car and to promote more sustainable forms of transport, for the new development facilitated by the policies of this Plan.</p> <p>Accordingly, all proposals for new development, or redevelopment, including changes of use, will be required to provide appropriately designed and located cycle parking. Development proposals must also make suitable provision for emergency, delivery and service vehicles, in accordance with the relevant adopted Local Plan standards prevailing at the time of the application.</p> <p>Proposals for new development will be generally expected to minimise the provision of on plot car parking where achievable, for example by providing shared use parking as part of the Travel Plan. Limited exceptions may be made to parking standards where satisfactory evidence is provided to demonstrate that an exception is appropriate for that particular scheme, taking into account the specific nature and location of the development proposed.</p>
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Basic Condition (d) - The Contribution to Sustainable Development

- 3.6 The NPPF is predicated on the presumption in favour of sustainable development, which comprises three main dimensions: economic, social and environmental. The 2023 NPPF requires the planning system, including neighbourhood plans, where appropriate to:
- Help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
 - 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-designed, beautiful 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
 - protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
- 3.7 Table 4 overleaf identifies which policies in the BCDNP contribute towards economic, social and environmental, sustainable development, as defined in the 2023 NPPF.
- 3.8 Many of the objectives of the BCDNP overlap with the three strands of sustainability, as indicated in Table 4.

Table 4: Identification of Relevant BCDNP Policies against Sustainable Development.

Deliver Economic Sustainability	
Relevant BCDNP Policies	<p>Policy BCD1 - The Spatial Planning Strategy</p> <p>Policy BCD2 - Strategic Site Allocation: Land at Barrow Hill</p> <p>Policy BCD3 – Non-Strategic Housing Delivery</p> <p>Policy BCD4 – Special Needs and Local Affordable Housing</p> <p>Policy BCD7 – Local Employment Strategy</p>
Deliver Social Sustainability	
Relevant BCDNP Policies	<p>Policy BCD1 - The Spatial Planning Strategy</p> <p>Policy BCD4 – Special Needs and Local Affordable Housing</p> <p>Policy BCD7 – Local Employment Strategy</p> <p>Policy BCD8 – Support for New and Existing Community Facilities</p> <p>Policy BCD9 – Support for New Sport and Recreation Facilities</p>
Deliver Environmental Sustainability	
Relevant BCDNP Policies	<p>Policy BCD6 – Sustainable Design and Construction</p> <p>Policy BCD9 – Support for New Sport and Recreation Facilities</p> <p>Policy BCD10 – Ecology and the Natural Environment</p> <p>Policy BCD11 – Protection of Local Heritage Assets</p> <p>Policy BCD12 – Active Transport and Accessibility</p>

Basic Condition (e) General Conformity with the Strategic Policies Contained in the Development Plan.

- 3.9 The BCDNP must demonstrate that it is in general conformity with the adopted development plan for the relevant local authority area. The development plan currently in force for the BCDNP area comprises three local plan documents:
- The St Edmundsbury Core Strategy (2008);
 - The Rural Vision 2031 (2014); and
 - The Joint Development Management Policies document (2015)
- 3.10 Table 5 on page 22 illustrates how the 12 Policies of the Neighbourhood Plan generally conform to the relevant Strategic Policies in the above Development Plan.

Table 5: Assessment of How the Policies of the Neighbourhood Plan Conform to the Relevant Strategic Policies in the Development Plan.

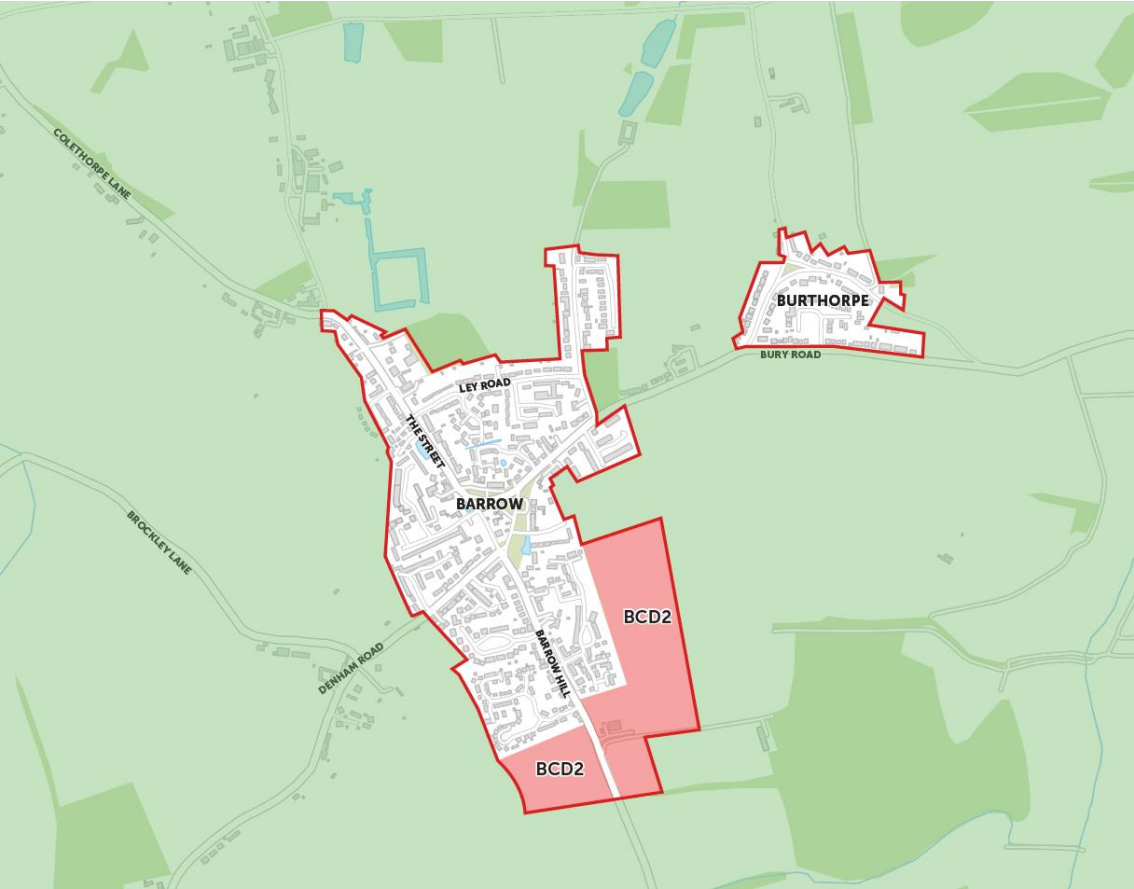
Development Plan Policy	BCDNP Policy	Commentary
St Edmundsbury Core Strategy 2010		
CS1 St Edmundsbury Spatial Strategy	BCD1	Policy BCD1 has been prepared in accordance with CS1. The policy focuses development on Bury St Edmunds and Haverhill and the BCDNP is not prejudicial to this.
CS2 Sustainable Development	All	The criteria identified by the Core Strategy policy are reflected across all the policies of the BCDNP as set out in Table 3 of this Statement.
CS3 Design and Local Distinctiveness	BCD5 BCD6	The Core Strategy policy identifies a number of criteria against which proposals will be judged in order to 'contribute to a high quality, safe and sustainable environment.' The BCDNP policies reflect this policy in the local context of the NP area.
CS4 Settlement Hierarchy and Identity	BCD1	This policy identifies Barrow as a Key Service Centre, with all other settlements identified within the Neighbourhood Plan Area being classed as Countryside.
CS5 Affordable Housing	BCD4	The BCDNP makes provision for 30% affordable housing on all new development in excess of 10 homes, in accordance with the threshold set by national policy.
CS7 Sustainable Transport	BCD12	The BCDNP seeks to minimise the impact of future new development on the existing local highway network by encouraging walking, cycling and other non-car modes.
CS9 Employment and the Local Economy	BCD7	The future development of the allocated employment sites continues to be supported and encouraged for light business uses appropriate to a rural area, where compatible with nearby residential amenity. In addition, the BCDNP makes specific provision under Policy BCD2 (Land at Barrow Hill) for the accommodation of additional employment facilities, comprising modern bespoke space to support new business start-ups and other forms of agile remote working, as part of the overall allocation.

CS10 Retail, Leisure, Cultural and Office provision.	BCD9	The BCDNP makes provision for new sport and recreation facilities to come forward where justified.
CS13 Rural Areas	BCD1 BCD2 BCD3 BCD4	This policy ensures the scale of development in Key Service Centres reflects the need to maintain the sustainability of local services, the diversification of the economy and the provision of local housing needs. The policy states that development outside Key Service Centres will be strictly controlled, with the priority of protecting and enhancing the historic character, appearance and biodiversity of the countryside. The policies of the BCDNP accord with these objectives.
Joint Development Management Policies Local Plan Document (2015) - JDMP		
DM1 Presumption in Favour of Sustainable Development	All	All policies in the BCDNP support the principle of achieving sustainable development (see Table 4).
DM2 Creating Places – Development Principles & Local Distinctiveness	BCD5	The BCDNP sets out a clear design vision and expectations. Proposals for new development within the Neighbourhood Plan area should demonstrate high standards of exterior design and generally reflect the rural vernacular.
DM5 Development in the Countryside	BCD3 BCD4	The policies of the BCDNP protect areas designated as countryside from unsustainable development. Where new buildings are permitted, they must meet the policy criteria which is consistent with Policy DM27 of the JDMP 2031.
DM7 Sustainable Design and Construction	BCD6	Policy BCD6 of the BCDNP is consistent with the objectives of Policy DM7.
DM10 Sites of Biodiversity and Geodiversity importance	BCD2 BCD3 BCD4 BCD10	These policies of the BCDNP all highlight the need to conserve or enhance the biodiversity and geological interests and ensure that protected species and existing habitats are protected and, where possible, enhanced. The BCDNP states that any development that leads to a net increase in built development within the 1500 metre (secondary) buffer around areas outside the Breckland SPA, may require a project level HRA. The BCDNP also makes clear that in such circumstances an evidence-based strategy will need to be agreed with Natural England and West Suffolk Council.

DM12 Mitigation Enhancement, Management and Monitoring of Biodiversity	BCD10	The BCDNP requires that new development proposals should demonstrate that there will no unacceptable net impacts upon the biodiversity and ecology of the natural environment. Development proposals which could potentially result in significant harm to biodiversity, must have regard to the 'mitigation hierarchy' of a) avoidance, b) mitigation and c) compensation, in order to be supported.
DM15 Listed Buildings	BCD11	The BCDNP requires all development proposals which directly affect, or are within close proximity to, listed buildings or other heritage assets in the area, to provide a clear justification for the works, to ensure development does not cause harm to their setting and to provide evidence that the impact of the development can be suitably weighed against any public benefits.
DM18 New Uses for Listed Buildings	BCD11	As above.
DM22 Residential Design	BCD5	This BCDNP policy is consistent with DM22
DM23 Special Housing Needs	BCD4	This BCDNP policy is consistent with DM23
DM27 Housing in the Countryside	BCD1 BCD2	These BCDNP policies are consistent with DM27 and define a new settlement boundary for Barrow inclusive of the BCD2 allocation.
DM29 Rural Housing Exception Sites	BCD4	This BCDNP policy is consistent with the aims and objectives of Policy DM29.
DM42 – Open Space, Sport and Recreation Facilities.	BCD9	During the Plan period, new public open space and other land for recreation, within the Neighbourhood Plan area, will be delivered in association with the housing development permitted under Policies BCD2, BCD3 and BCD4 of the BCDNP.
DM45 Transport Assessments and Travel Plans	BCD12	The BCDNP seeks to minimise the impact of future new development on the existing local highway network, by encouraging walking, cycling and other non-car modes, including public transport to other areas, beyond the Neighbourhood Plan area. The general need for Transport Assessments and Travel Plans as part of applications is suitably addressed in existing Development Plan Documents.

Rural Vision 2031		
RV1 Presumption in Favour of Sustainable Development.	All	All policies in the BCDNP support the principle of achieving sustainable development (see Table 4).
RV2 Neighbourhood Plans	All	The proposals for development in the BCDNP meet at least the minimum level of growth and demonstrate how they conform with the strategic policies as set in the adopted Core Strategy. The form, size, type and design of new development proposed also meets the requirements set out in national and local policy.
RV3 Housing Settlement Boundaries	BCD2	Policy BCD2 is accompanied by a revision in the housing settlement boundary for Barrow (see overleaf).
RV4 Rural Employment Areas	BCD7	<p>The future development of the allocated employment sites, under Policy RV4, continues to be supported and encouraged for light business uses appropriate to a rural area, where compatible with nearby residential amenity.</p> <p>In addition, the BCDNP makes specific provision under Policy BCD2 (Land at Barrow Hill) for the accommodation of additional employment facilities, comprising modern bespoke space to support new business start-ups and other forms of agile remote working, as part of the overall allocation.</p>
RV10 Barrow	BCD2	The BCDNP allocates additional land east and west of the 2014 Barrow Hill (RV10) allocations, for further mixed use development in accordance with a revised settlement boundary for Barrow (see overleaf).

Revised Settlement Boundary for Barrow, Incorporating the BCD2 Allocation Site.



4. Compatibility with European Union Obligations and Human Rights

Environmental Impact and Habitat Regulations

- 4.1 Section 4B 8 (2)(f) states that a draft Neighbourhood Plan will meet the basic conditions if, the making of the Neighbourhood Plan does not breach, and is otherwise compatible with EU obligations and the making of the neighbourhood plan is not likely to have a significant effect on a European site or a European offshore marine site, either alone or in combination with other plans or projects.
- 4.2 European Union Directive 2001/42/EC requires a Strategic Environmental Assessment (SEA) to be undertaken for certain types of plan or programmes that would have a significant environmental effect. An SEA has been undertaken by AECOM pursuant to the preparation of the BCDNP. The submission SEA is based upon the following stages:
- An SEA Scoping Report (July 2020), which contained information about the neighbourhood area's environment and community.
 - An Interim SEA Options Assessment Report (July 2022) which presented the assessment of reasonable alternatives.
 - An SEA Environmental Report which accompanied Regulation 14 consultation (September 2023) which identified, described, and evaluated the likely significant effects of the Neighbourhood Plan and alternatives.
- 4.3 The Environmental Report which accompanies the submission version of the BCDNP considers the implications of the revisions to the Neighbourhood Plan for the SEA findings previously presented at Regulation 14 consultation (in September 2023). This includes relating to the potential for any likely significant effects that may arise as part of the Regulation 16 revisions. The updated assessment has concluded that the submission version of the BCDNP is likely to have long-term positive effects in relation to the 'Population and Community' and 'Health and Wellbeing' SEA themes.
- 4.4 The BCDNP will also deliver long-term positive effects in relation to the 'Landscape' and 'Historic Environment' SEA themes. These benefits largely relate to the Neighbourhood Plan's emphasis on protecting and enhancing the relationship between natural and built environment, protecting important landscape and heritage features, and facilitating improvements to the quality of the public realm.
- 4.5 The SEA confirms that the BCDNP will also deliver minor long-term positive effects in relation to the 'Biodiversity and Geodiversity' SEA theme by encouraging proposals to protect existing and establish new habitats, enhance ecological networks (including through green infrastructure enhancements), and deliver net gains.

- 4.6 The SEA states that providing any recommendations within the HRA are incorporated into the submission version of the Neighbourhood Plan, it is anticipated that there would be no adverse effects to the integrity of these sites, either alone or in-combination with other plans and projects.
- 4.7 An HRA has been prepared by AECOM to accompany the submission version of the BCDNP updated July 2024). The relevant recommendations of the HRA have also been incorporated, inter alia, into the wording of BCDNP policies BCD2, BCD3 and BCD4 notably with regards to identifying the potential requirement for a shadow HRA at the application stage when bringing forward development proposals under these policies.

Human Rights

- 4.8 The public consultation process for the BCDNP has been wide and as inclusive as possible and has sought to include all sectors of the local community at all the key stages of preparation, as set out in the Consultation Statement. The policies contained within the submission BCDNP do not disadvantage any minority group or any group with protected characteristics.
- 4.9 The BCDNP will therefore not have any negative impacts upon any groups with protected characteristics, as many of the policies contained within the Plan seek to cater for the needs of people in the Plan area with special needs or protected characteristics.
- 4.10 The vision, objectives and policies of the BCDNP collectively focus on the promotion of greater social inclusion and long term community cohesion.

Conclusions on Basic Conditions

- 4.11 The relevant Basic Conditions as set out in Schedule 4B to the TCPA 1990 are considered to be met by the BCDNP and the policies contained therein. It is therefore considered that the Neighbourhood Plan complies with Paragraph 8(1) (a) of Schedule 4B of the Act.