

Castle Acre Neighbourhood Plan

Basic Conditions Statement

September 2020



Contents

1. Introduction	3
2. Legal requirements	3
3. Basic Conditions	4
4. Regard to National policies and advice & strategic policies In the Development Plan	5
5. Achieving Sustainable Development	20
6. Compatibility with EU Obligations	26
7. Prescribed Matters	29

1. Introduction

- 1.1 When submitting a Neighbourhood Plan to the Local Authority (in this case the Borough Council of King's Lynn and West Norfolk), 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 the Borough Council of King's Lynn and West Norfolk (BCKLWN) 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 Castle Acre Neighbourhood Development Plan being submitted by a qualifying body – Castle Acre Parish Council. Castle Acre Parish Council was confirmed as a qualifying body the Borough Council of King's Lynn and West Norfolk on 8th December 2017 when the Castle Acre Neighbourhood Plan Area was designated.

A Neighbourhood Development Plan: The Castle Acre 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 Castle Acre Neighbourhood Plan states the time-period for which it is to have effect (from 2017-2036) a period of 19 years.

Excluded Development: The Castle Acre Neighbourhood Development Plan policies do not relate to excluded development. The Castle Acre 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 Castle Acre Neighbourhood Development Plan relates to the Castle Acre 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) 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 Castle Acre 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 Castle Acre 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 below)
- (f) The making of the Plan does not breach and is otherwise compatible with EU obligations (see below) and,
- (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 Castle Acre Neighbourhood Development Plan and refer to 'Neighbourhood Orders' only.

3.a) Having regard to National Policies and Advice and e) Conformity with Strategic policies in the Development Plan

- 4.1 The following table provides an appraisal of the extent to which the Castle Acre Neighbourhood Plan has regard to national policy and is in general conformity with strategic local policy.
- 4.2 The Neighbourhood Plan policies were drafted to be in conformity with the National Planning Policy Framework published in February 2019 and revised in July 2019. The table below assess the degree of regard that the Castle Acre Neighbourhood Development Plan policies have had to NPPF 2019 (**Column B**)
- 4.3 During the production of the Neighbourhood Plan, the strategic policies for the area were under-going revision and BCKLWN published its Regulation 18 – Preferred Options Version of the King's Lynn and West Norfolk Local Plan in March 2019 and carried out consultation during March and April 2019. The existing Core Strategy was Adopted in 2011 and its plan period runs to 2026. The Site Allocations and Development Management Policies Plan was adopted in 2016.
- 4.4 At the time of submitting this Neighbourhood Development Plan policies of the emerging Local Plan are still at a relatively early stage and are those consulted on in March and April 2019.
- 4.5 Therefore the Policies contained within the Castle Acre Neighbourhood Plan have been assessed for their conformity against the existing Development Plan – the Core Strategy 2011 (**Column C**), the Site Allocations and Development Management Policies 2016 (**Column D**) and the policies of the emerging Local Plan (**Column E**).
- 4.6 In summary, the appraisal demonstrates that the Castle Acre Neighbourhood Development Plan has had appropriate regard to and is in general conformity with, both national and strategic policy.

Conformity Assessment of Castle Acre Neighbourhood Plan policies against the NPPF and the Development Plan.

Castle Acre Neighbourhood Development Plan Policy (A)	NPPF 2019 (B)	BCKLWN Adopted Core Strategy 2011(C)	BCKLWN Adopted SADMP 2016 (D)	BCKLWN Emerging Local Plan Preferred options March 2019 (E)
HE1: Protecting Historic Assets	This policy reflects NPPF paragraphs 184 to 202 which seek to conserve and enhance the historic environment. The policy covers designated and non- designated heritage assets together with sites that may have known or unknown archaeological value. It outlines the approach to assessing the impact of applications on designated and non-designated heritage assets including the need to balance and have regard to the scale of any harm or loss against the significance of the asset.	The Policy is consistent with Core Strategy Policy CS12 Environmental Assets, which supports proposals to protect and enhance the historic environment and seeks to protect designated sites of historical value from development which damages their interest or significance unless the need for, and public benefits of the development outweigh the loss of interest or significance.	This policy is consistent with Development Management Policy DM15 Environment, Design and Amenity which requires new development to protect and enhance the amenity of the wider environment including its heritage and cultural value.	This policy is consistent with emerging policy LP17 - Environmental Assets, which supports proposals to protect and enhance the historic environment.
HE2:Conservation Area	This policy is consistent with paragraph 186 and 188 which recognises the importance of Conservation Areas as having	The Policy is consistent with Core Strategy Policy CS12 Environmental Assets, which supports proposals to protect and enhance the	This policy is consistent with Development Management Policy DM15 Environment,	This policy is consistent with emerging policy LP17 - Environmental Assets - Green Infrastructure, Historic Environment, Landscape

	special architectural and historic interest.	historic environment and supports the use of character assessments to justify policies and proposals.	Design and Amenity which requires new development to protect and enhance the amenity of the wider environment including its heritage and cultural value.	Character, Biodiversity and Geodiversity Policy which supports proposals to protect and enhance the historic environment. The policy also refers to the importance of character assessments to reinforce in local distinctiveness.
HE3: Local Character and Vernacular Architecture	This policy is consistent with paragraph 125 of the NPPF which identifies that Neighbourhood Plans have an important role in identifying the special qualities of the neighbourhood area and explaining how this should be reflected in development.	The Policy is consistent with Core Strategy Policy CS12 Environmental Assets, which supports proposals to protect and enhance the historic environment and supports the use of character assessments to justify policies and proposals.	This policy is consistent with Development Management Policy DM15 Environment, Design and Amenity which requires new development to protect and enhance the amenity of the wider environment including its heritage and cultural value. The policy also requires that the scale, height, massing, materials, and layout of a development should respond sensitively	<p>This policy is consistent with emerging Policy LP16 Design and Sustainable Development which promotes high quality design, which respects the local distinctiveness of the area and protects and enhances the historic and natural environment.</p> <p>This policy is also consistent with emerging policy LP17 - Environmental Assets - Green Infrastructure, Historic Environment, Landscape Character, Biodiversity and Geodiversity Policy which supports proposals to protect and enhance the historic environment. The policy also refers to the importance of</p>

			and sympathetically to the local setting and pattern of adjacent streets including spaces between buildings through high quality design and use of materials.	character assessments to reinforce in local distinctiveness.
HE4 Important Views	This policy reflects NPPF para 127 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 170 of the framework which advocates “protecting and enhancing valued landscapes “	The Policy is consistent with Core Strategy Policy CS12 Environmental Assets, which seeks to protect and enhance historic environment and landscape character.	This policy is consistent with Development Management Policy DM15 Environment, Design and Amenity which requires new development to protect and enhance the amenity of the wider environment including its heritage and cultural value.	This policy is consistent with emerging Policy LP16 Design and Sustainable Development which promotes high quality design, which respects the local distinctiveness of the area and protects and enhances the historic and natural environment. This policy is also consistent with emerging policy LP17 - Environmental Assets - Green Infrastructure, Historic Environment, Landscape Character, Biodiversity and Geodiversity Policy which supports proposals to protect and enhance the local landscape.

<p>NE1: Protection of Landscape Setting</p>	<p>This policy reflects NPPF paragraph 170 b) which recognises the need to contribute to and enhance the intrinsic character and beauty of the countryside.</p>	<p>The Policy is consistent with Core Strategy Policy CS12 Environmental Assets, which seeks to protect and enhance landscape character.</p>	<p>This policy is consistent with paragraph C.12.3 of the SADMP which reiterates the strategic aim to protect the countryside for its intrinsic character and beauty, the diversity of its landscapes, heritage, and wildlife.</p>	<p>This policy is consistent with emerging policy LP17 - Environmental Assets - Green Infrastructure, Historic Environment, Landscape Character, Biodiversity and Geodiversity Policy which supports proposals to protect and enhance the local landscape.</p>
--	---	--	--	--

<p>NE2: Habitats and Natural Features</p>	<p>This policy is consistent with paragraphs 174-177 of the NPPF which promote the conservation, restoration and enhancement of priority habitats and the pursuit of opportunities for biodiversity net gains.</p>	<p>The Policy is consistent with Core Strategy Policy CS12 Environmental Assets, which seeks to protect and enhance biodiversity and geodiversity. The Core Strategy encourages maintaining, enhancing and linking areas of good biodiversity quality and the protection and enhancement of County Wildlife Sites, ancient woodlands, Biodiversity Action Plan Species and Habitats. Development should seek to avoid, mitigate or compensate for any adverse impacts on biodiversity, as well as seeking to enhance sites through the creation of features of new biodiversity, interest.</p>	<p>This policy is consistent with Development Management Policy DM19 Green Infrastructure/Habitats Monitoring and Mitigation, which seeks to ensure that natural features of biodiversity significance are protected from development that may affect their wildlife value.</p> <p>Policy NE2 specifically refers to SADMP Policy DM19 which requires developers to contribute towards the monitoring and mitigation of European sites.</p>	<p>This policy is consistent with emerging policy LP17 - Environmental Assets - Green Infrastructure, Historic Environment, Landscape Character, Biodiversity and Geodiversity which requires development to avoid adverse impacts on biodiversity sites as well as seeking to enhance sites through the creation of features of biodiversity interest.</p>
<p>NE3: Local Green Spaces</p>	<p>This policy reflects NPPF paras 99-101 which advocates</p>	<p>This policy is consistent with Strategic Policy CS12</p>	<p>This policy is consistent with</p>	<p>This policy is consistent with</p>

	<p>“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>The spaces proposed for protection have been assessed against the criteria in the NPPF.</p>	<p>Environmental Assets which seeks to ensure an integrated network of green infrastructure throughout the urban and rural areas (identified through the Green Infrastructure Management Plan and Econet map) is successfully created and managed to meet the environmental, social, and economic needs of local communities and the wider borough.</p>	<p>Development Management Policy DM22 Protection of Local Open Space which seeks to protect spaces that have an identified amenity, recreation, wildlife, or landscape value.</p>	<p>emerging Policy LP23 Protection of Local Open Space, which protects spaces that are identified as having value in terms of wildlife, landscape, amenity, or recreation.</p>
<p>NE4: Dark Skies</p>	<p>This policy is consistent with paragraph 180 of the NPPF which seeks to limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.</p>	<p>This policy is consistent with Core Strategy Policy CS12 Environmental Assets which requires that the design of new development should be sensitive to the surrounding area, and not detract from the inherent quality of the environment.</p>	<p>This policy is consistent with Development Management Policy DM15, Environment, Design and Amenity which lists light pollution as a key factor against which proposals will be assessed.</p>	<p>This policy is consistent with emerging Policy LP18 Environment, Design and Amenity which lists light pollution as a key factor against which proposals will be assessed.</p>

<p>HD1: Housing Provision</p>	<p>This policy is consistent with paragraph 29 of the framework in that it contains a specific allocation for housing that is consistent with the identification of Castle Acre in the strategic policies of the emerging Local Plan.</p> <p>This policy is consistent with NPPF paragraph 29 which indicates that Neighbourhood Plans should not promote less development than that set out in the strategic policies for the area. The Neighbourhood Plan makes an allocation for 4 dwellings, over and above the existing commitment of 15 dwellings.</p> <p>This policy is consistent with NPPF para 103 which advocates the focussing of significant development in locations that “ are or can be made sustainable through limiting the need to travel...help to reduce congestion and emissions and improve air quality and public</p>	<p>This policy is consistent with Core Strategy Policy CS02 Settlement Hierarchy which identifies Castle Acre as a Key Rural Service Centre which allows for limited growth of a scale and nature appropriate to secure the sustainability of each settlement.</p> <p>Policy HD1 of the Neighbourhood Plan is also consistent with Core Strategy Policy CS06 Development in Rural Areas which allows for housing sites to be allocated for affordable housing or exception housing in accordance with criteria to support the housing strategy.</p>	<p>This policy is consistent with Development Management Policy DM2 Development Boundaries which identifies the development limits of villages in the settlement hierarchy and seeks to concentrate new development within the boundary except where certain exceptions apply.</p> <p>Policy HD1 seeks to concentrate windfall development within the existing boundary but allows for the conversion of existing buildings outside of the boundary as well as making a specific allocation (CA3).</p> <p>This policy is also consistent with Policy</p>	<p>This policy is consistent with Emerging Policy LP02 Settlement Hierarchy which identifies Castle Acre as a Key Rural Service Centre which allows for limited growth.</p> <p>This policy is consistent with emerging Policy LP04 which defines Development Boundaries for settlements in the strategic hierarchy. It aims to focus new development within existing boundaries where possible and identifies where certain exceptions apply.</p> <p>This policy is consistent with Section 12.3 of the emerging Local Plan</p>
--------------------------------------	---	---	--	---

	<p>health.” The Neighbourhood Plan specifically allocates a site for development</p> <p>The policy is also consistent with paragraph 70 which refers to windfall sites. The policy makes a small allowance for windfall sites which is consistent with past rates of windfall in the parish and therefore is realistic as required by this paragraph. The policy also specifically refers to paragraph 79 of the framework which set out the criteria for new housing outside of the built up area and in the countryside.</p>		<p>G22.1 which allocates a Site off Massingham Road for at least 15 dwellings.</p>	<p>which refers to the draft neighbourhood plan and a provisional figure of 12 dwellings, which has subsequently been superseded by more recent BCKLWN monitoring.</p>
--	--	--	--	--

<p>HD2: Housing Size, Type and Tenure</p>	<p>This policy reflects NPPF para 61 which advises that planning policies should reflect the needs of “those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes).</p> <p>The policy is based on consultation carried out with local residents, and the results of an independent Housing Needs Assessment. The policy specifically refers to starter homes, lifetime homes, housing for older people and affordable housing.</p>	<p>This policy is consistent with Core Strategy policy CS09 Housing Distribution which requires that proposals for housing must take appropriate account of need identified in the most up to date strategic housing market assessment with particular regard to size, type, and tenure of dwellings. (These needs will include appropriate provision for all sectors of the community, for example including the needs of elderly people or people with disabilities).</p>	<p>There is no specific corresponding policy within the SADMP, as the issue is largely strategic and dealt with by the Core Strategy.</p>	<p>This policy is consistent with emerging Policy LP06 which refers to housing to meet local needs.</p>
--	---	---	---	---

<p>HD3: Design</p>	<p>This policy reflects NPPF para 127 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>The policy contains clear criteria relating to building character, materials, detailing, landscaping, amenity, and style and also covers issues such as car parking and bin storage.</p>	<p>This policy reflects Core Strategy Policy CS08 Sustainable Development which requires high quality design in all new developments. It also requires new developments to respond to local character and context, enhance community wellbeing by being accessible, inclusive, locally distinctive, safe and by promoting healthy lifestyles and achieve high standards of sustainable design.</p>	<p>This policy reflects Development Management Policy DM15 Environment, Design and Amenity, which seeks to ensure that new development responds sensitively and sympathetically to its local setting and should provide for safe access and adequate parking facilities.</p>	<p>This policy is consistent with emerging Policy LP16 Design and Sustainable Development which promotes high quality design, which respects the local distinctiveness of the area and protects and enhances the historic and natural environment.</p> <p>This policy is also consistent with emerging Policy LP18, Environment, Design and Amenity which seeks to ensure that new development is sympathetic to its setting . The policy sets out the criteria against which proposals will be judged.</p>
---------------------------	---	--	--	---

<p>TT1: Visitor Car Parking</p>	<p>This policy is a site specific policy that provides a car park. Paragraph 106 of the NPPF whilst relating largely to town centres, encourages plan making authorities to seek to improve the quality of parking so that it is convenient, safe, and secure, alongside measures to promote accessibility for pedestrians and cyclists.</p>	<p>The Neighbourhood Plan policy is site specific and there is no directly corresponding policy in the Core Strategy.</p>	<p>Policy TT1 is a site specific policy and there is no directly corresponding policy within the SADMP.</p>	<p>Policy TT1 is a site specific policy and there is no directly corresponding policy in the emerging Local Plan.</p>
--	--	---	---	---

<p>TO1: Protecting Visitor and Community Facilities</p>	<p>This policy is consistent with paragraph 8b of the NPPF which outlines the social objective of the NPPF and specifically highlights the need for “accessible services and open spaces that reflect current and future needs and supports communities’ health, social and cultural well-being”</p> <p>This policy is consistent with NPPF para 92 which states “To provide the social, recreational, and cultural facilities and services the community needs, planning policies and decisions should:</p> <p>a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities</p>	<p>This policy reflects Core Strategy Policy CS13 which recognises the importance of community facilities and services (also referred to as community infrastructure) to improving people’s quality of life, reducing inequality, and improving community cohesion.</p> <p>The Core Strategy also indicates that development will not be permitted in cases where it would result in a loss of existing cultural facilities, unless equivalent new or improved facilities, where need justifies, can be provided within the same settlement boundary or in close proximity of the existing facility.</p>	<p>This policy is consistent with Development Management Policy DM9 Community Facilities which seeks to resist the loss of viable community facilities.</p>	<p>This policy is consistent with emerging Policy LP33 Community Facilities which seeks to resist the loss of viable community facilities.</p>
--	---	--	---	--

	<p>and residential environments;”</p> <p>The first part of the policy which seeks to retain existing tourist and community facilities is also consistent with criterion c of paragraph 92 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>BU1: Business Development</p>	<p>This policy is consistent with NPPF paragraph 83 which seeks to 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; it also encourages the development and diversification of agricultural and other land-based rural businesses. The policy aims specifically to encourage small scale business development that meets the employment needs of the local population.</p>	<p>The policy is consistent with Core Strategy CS10 The Economy, which supports the rural economy and diversification New employment development in the countryside should be appropriate in size and scale to the local area, adjacent to the settlement and not detrimental to the local environment or local residents.</p>	<p>There is no directly corresponding policy within the SADMP as the issue of rural business is dealt with strategically through the Core Strategy.</p>	<p>This policy is consistent with emerging Policy LP06 The Economy, which supports the rural economy and diversification subject to size, scale, and locational criteria.</p>
---	--	--	---	---

5 d) Achieving Sustainable Development

- 5.1 The NPPF 2019 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 Castle Acre 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 Castle Acre 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. HD3 Design which contributes to both social and environmental objectives.
- 5.5 The plan has been formulated with Sustainable Development at its heart. The first drop-in session held in May 2017 sought to establish the vision and highlight key issues; The vision itself refers to future development meeting local needs and providing sustainable development, whilst emphasising the need to protect the sensitive historic and natural environment that gives Castle Acre its distinctive identity.

¹ Resolution 42/187 of the United Nations General Assembly

Vision	<p>Castle Acre will continue to be a rural parish and historic village rejoicing in its community, history, and natural surroundings. Future development will meet local needs and provide sustainable homes which respect the special identity and character of Castle Acre and its surrounding landscape.</p>
---------------	--

5.6 The objectives were produced following the results of the Neighbourhood Plan Questionnaire which was distributed to every household in July 2017 and the subsequent feedback session held in April 2018. The objectives cover economic, environmental and community dimensions:

Objective 1: Protect and **enhance** this rare example of a fortified Norman town, its surrounding historic landscape and hitherto undiscovered and unexplored historic sites and landscape features.

Objective 2: Protect and **conserve** views to and from the village and retain its scenic, historic, and visual character.

Objective 3: Provide a framework for new development within the Conservation Area.

Objective 4: Protect and **enhance** the natural environment and wildlife habitats of the village as well as provide a framework within which the natural environment of Castle Acre may be improved without negative impact by future development.

Objective 5 : Deliver the number of new homes required to meet local housing need.

Objective 6 : Encourage dwellings of a size, type, and tenure, that meet the existing and future needs of villagers.

Objective 7 : Promote well designed, high quality standards of building design which enhance the character of the area, respect the rural context, and meet the requirements of modern, sustainable living..

Objective 8: Manage through traffic and car parking in the centre of the village to **improve** pedestrian safety, **reduce** the visual dominance and physical impacts of parking in the village.

Objective 9: Restrict vehicle access to South Acre Ford.

5.7 These objectives have been refined as a result of consultation and each support development whilst recognising the important of safeguarding and enhancing the special qualities that contribute to the specific character of Castle Acre.

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

NPPF Sustainable Development	Contribution through Castle Acre Neighbourhood Plan Objectives and Policies
<p>NPPF 2019 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 10: To safeguard existing tourism assets, visitor and community facilities and encourage low impact tourism</p> <p>Objective 11; To encourage local enterprise and local businesses to flourish</p> <p>TO1: This policy seeks to protect existing tourism and community facilities as well as providing support for upgraded or new facilities.</p> <p>TT1: This is a site specific policy that seeks to provide a car park designated for visitors to the village to relieve traffic congestions and free up parking spaces in the village centre.</p> <p>BU1: This policy supports the provision of new small scale business accommodation to meet local employment needs.</p>
<p>NPPF 2019 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 a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being;</p>	<p>Objective 5: Deliver the number of new homes required to meet local housing need including meeting the needs of the elderly</p> <p>Objective 6: Encourage dwellings of a size, type and tenure that meet the existing and future needs of the villagers</p> <p>Objective 7: Promote high standards of building and design which will enhance the character of the area, respect the rural context, and meet the requirements of modern living.</p> <p>Objective 8: Manage through traffic and car parking in the centre of the village to improve pedestrian safety, reduce the visual dominance and physical impacts of parking in the village centre</p>

	<p>Objective 10: To safeguard existing tourism assets, visitor and community facilities and encourage low impact tourism</p> <p>HD1: This policy allows for new small scale housing development to meet local needs, through the provision of a specific allocation (CA3), windfall development within the development boundary and the conversion of existing buildings outside.</p> <p>HD2: This policy encourages the provision of housing that meets specific local needs including affordable housing, housing for older people and lifetime homes.</p> <p>HD3: This policy encourages a high standard of design in new development which should enhance the form and character of Castle Acre, creating a form of development that meets the needs of its residents and is safe and attractive whilst providing adequate storage and parking.</p> <p>TT1: This is a site specific policy that provides a car park to accommodate visitors thereby freeing up spaces in the village core for residents and reducing the visual impact of car parking.</p> <p>TO1: This policy seeks to protect existing community facilities such e.g. shop, pub etc and supports proposals to upgrade or provide new ones.</p>
<p>NPPF 2019 An environmental role: to contribute to protecting and enhancing our natural, built, and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.</p>	<p>Objective 1: Protect and enhance this rare example of a Norman fortified town and its surrounding historic landscape and preserve hitherto undiscovered and unexplored historic sites and landscape features</p> <p>Objective 2: Protect and Preserve views to and from the village and retain its scenic and visual character</p> <p>Objective 3: Provide a framework for development within the Conservation Area</p> <p>Objective 4: Preserve and Enhance the natural environment and wildlife habitats of the village as well as provide a framework within which the natural environment of Castle Acre may be improved without negative impact by future development.</p>

	<p>Objective 7: Promote high standards of building and design which will enhance the character of the area, respect the rural context, and meet the requirements of modern living.</p> <p>Objective 8: Manage through traffic and car parking in the centre of the village to improve pedestrian safety, reduce the visual dominance and physical impacts of parking in the village centre</p> <p>Objective 9: Restrict vehicle access to South Acre Ford</p> <p>HE1: This policy protects the important historic assets within Castle Acre from development that could harm their historic significance either directly or indirectly. It covers both designated and undesignated heritage and archaeological assets.</p> <p>HE2: This policy seeks to ensure that the established special character of the Conservation Area and its setting will be protected and reinforced by ensuring that new development is sympathetic to its special qualities, encouraging the retention and maintenance of buildings which contribute to its overall character.</p> <p>HE3: This policy is based on the results of the Character Assessment and requires that new development irrespective of scale should reflect the Castle Acre’s local distinctiveness. The policy identifies the traditional materials and details that are prevalent in the parish.</p> <p>HE4: This policy identifies 7 specific views and vistas as being important and protects them from development that would adversely affect them.</p> <p>NE1: This policy protects the landscape setting of Castle Acre and the visual and scenic value of the countryside in the Neighbourhood Area.</p> <p>NE2: This policy identifies specific natural features within the parish that are to be protected from development that would affect their character, appearance, or wildlife value.</p>
--	--

	<p>NE3: This policy identifies 3 Local Green Spaces for protection, consistent with the criteria in NPPF paragraph 100.</p> <p>NE4: This policy seeks to protect the existing dark skies, by controlling external lighting and ensuring good lighting management and design.</p> <p>HD3: This policy promotes high quality design in new development and sets out criteria against which new development will be judged in order to achieve well designed development which enhances the form and character of Castle Acre. This includes scale, form, massing, layout, materials and provides guidance on parking, landscaping, dwelling amenity, and storage.</p> <p>TT1: This is a site specific policy that provides a car park for use by visitors in order to reduce the visual dominance of parking within the historic core of the village.</p>
--	---

6. f) Compatibility with EU Obligations

- 6.1 The statement below demonstrates how the Castle Acre Neighbourhood Development Plan does not breach and is compatible with EU obligations.
- 6.2 BCKLWN recommended that the Strategic Environmental Assessment (SEA and Habitats Regulation Assessment (HRA) Screening processes should be undertaken prior to the REG 14 Pre-Submission consultation. Therefore a draft version of the Neighbourhood Plan was submitted to BCKLWN for SEA Screening in July 2019. The HRA Screening Assessment was carried out on the same version of the draft Plan.
- 6.3 BCKLWN's preliminary Screening Opinion dated 9th August 2019 concluded that the Draft Castle Acre Neighbourhood Plan could be screened out of the requirement to undertake either a SEA or HRA. As required by the regulations, BCKLWN consulted with the three statutory environmental bodies – Natural England, Historic England, and the Environment Agency.
- 6.4 The responses from Historic England and Natural England (both dated 16th September 2019) indicated that they considered both full SEA and HRA would be required to be undertaken due to the fact that the plan made two housing allocations and that there may be impacts upon protected nature conservation and heritage sites.
- 6.5 The CANPSG commissioned consultants AECOM via Locality to undertake the respective SEA and HRA work in Autumn 2019.
- 6.6 The Final HRA and SEA Environmental Reports were completed in December 2019 and March 2020, respectively.
- 6.7 The HRA recommended at paragraph 6.5 that an amendment to the policy wording at paragraph 4 of Policy NE.2 of the Neighbourhood Plan should be made to include reference to European Sites and that proposals that will adversely affect the integrity of European Sites will not be supported:
- “Any development brought forward within the Neighbourhood Plan area must ensure that it can be implemented without any adverse effects upon the integrity of the European sites. Proposals that will adversely affect the integrity of European sites will not be supported. Attention is drawn in particular to the overarching Policy DM19 within the SADMP (2015) and the Borough Council of King’s Lynn and West Norfolk Natura 2000 sites Monitoring and Mitigation Strategy (2015), which describes measures to ensure no adverse effect on European sites, including that of housing, developers must pay a standard contribution to the monitoring and mitigation of European sites within Norfolk. This rate is currently £50 per dwelling”*
- 6.8 The revised wording was included within the REG14 Consultation Version of the Draft Plan and Natural England responded to the consultation in a letter dated 24th March 2020, confirming that they had no specific comments.

6.9 The SEA Environmental Report concluded at paragraph 5.58 that :

5.58 “The assessment has concluded that the current Pre-Submission Version of the Castle Acre Neighbourhood Plan is likely to lead to significant long-term positive effects in relation to the ‘Population and Community’ and ‘Health and Wellbeing’ SEA themes. These benefits largely relate to the Neighbourhood Plan’s focus on providing new housing to meet local needs, its support for community vitality, the protection and enhancement of green infrastructure networks in the area and the protection and enhancement of the quality of the public realm and neighbourhood distinctiveness.

5.59 The allocations taken forward through the Neighbourhood Plan are in locations of significant sensitivity for the historic environment. However, a combination of the type / scale of development proposed at the sites and the Neighbourhood Plan policies will help limit the significance of potential effects. In this respect, the policies of the Neighbourhood Plan have a close focus on conserving and enhancing the fabric and setting of the historic environment, and on protecting landscape and villagescape character. Overall therefore, no significant negative effects have been identified in relation to the ‘Historic Environment’ theme relating to these allocations, with positive effects likely to take place with regards to the conservation and enhancement of the wider historic environment of Castle Acre. The Neighbourhood Plan’s close focus on protecting and enhancing local character and distinctiveness will also bring positive effects in relation to the ‘Landscape’ SEA theme.

5.60 New development has the potential to lead to the loss of productive agricultural land in the Neighbourhood Plan area. However, given the lack of detailed land classification undertaken in the parish, it is unclear as to what extent this will lead to the loss of areas of the Best and Most Versatile agricultural land. As such, the overall significance of impacts in relation to the ‘Land, Soil and Water Resources’ SEA theme is uncertain. It should be noted though that the significance of impacts on productive agricultural land is likely to be reduced by the limited size of the allocations proposed through the Neighbourhood Plan.

5.61 In terms of the ‘Biodiversity’, ‘Climate Change’ and ‘Transportation’ SEA themes, the Neighbourhood Plan will initiate a number of beneficial approaches which will help limit negative effects and facilitate enhancements. These are not though considered to be significant in the context of the SEA process given the scope of the Neighbourhood Plan and the scale of proposals.”

6.10 The SEA was the subject of consultation as part of the REG14 Pre-Submission Consultation. The only comments made in respect of the SEA were from Historic England in their letter dated 27th April 2020. There comments are as follows:

“Having reviewed the Site Assessment and SEA we are concerned that the assessment undertaken in both documents is presently insufficient to achieve demonstrate this. We note for example that the SEA report makes reference

to the five step process of understanding, assessing, and avoiding/mitigating found in our Good Practice Advice Note 3: The Setting of Heritage Assets, but there is then no evidence that this process has been undertaken to inform the report's conclusions. In particular, we would highlight that questions of setting are not solely related to proximity or views alone, and this nuance is lacking from the assessment we have read. The traffic light system used in both the Site Assessment and SEA report is also not considered a refined enough methodology for fully informed conclusions to be drawn. For example, both CA2 and CA3 are rated 'red' for historic environment issues, but we cannot find within the report any qualitative analysis of significance and questions of setting that informs this conclusion or provides a relative assessment between any of the sites."

- 6.10 The Historic England comments were forwarded by the CANPSG to AECOM. AECOM responded as follows in July 2020:

" Historic England are clearly concerned that a detailed heritage assessment has not been undertaken to support the proposed areas of development within the extremely sensitive areas of the village in terms of the historic environment. In terms of the SEA (or indeed the earlier site assessment) its purpose is not to undertake a detailed heritage characterisation. It is to provide an assessment of the relative merits of the plan (including alternatives) In terms of different sustainability themes. The SEA has highlighted the significant constraints at Glebe Field discussed the scope of their significance. A detailed HIA has been commissioned to explore further the potential issues related to the historic sensitivities of the sites identified through the SEA".

- 6.11 In addition, after discussions between CANPSG and BCKLWN and in response to Historic England's concerns, the CANPSG commissioned Site Heritage Impact Assessments (SHIA) for the two proposed allocations. The SHIA for CA3 is included as a Submission Documents to support the Submission Version of the Neighbourhood Plan. As a result of other representations received, the CANPSG resolved to remove Site CA2 from the Plan and the SHIA is no longer required.

Human Rights

- 6.12 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.

7. g) Prescribed matters

- 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 Natural England has been consulted on the pre-submission version of the Castle Acre Neighbourhood Plan and has contributed to the SEA and HRA Reports, which concluded there would be no significant effects on any European sites. The Castle Acre Parish Council therefore considers that the Neighbourhood Plan meets the additional prescribed basic condition.