

SUTTON

NEIGHBOURHOOD PLAN

2017-2036



BASIC CONDITIONS STATEMENT
NOVEMBER 2018

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1 Introduction

As part of the formal submission of the Sutton Neighbourhood Plan (SNP) for Examination, there is a requirement for the Parish Council, as the 'qualifying body' to illustrate that they have complied with a series of 'basic conditions' as set out in the Town & Country Planning Act 1990 (as Amended). This Statement accompanies the submission to the local planning authority, East Cambridgeshire District Council, of the SNP under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 ("the Regulations"). Regulation 15 requires a submission neighbourhood development plan to be accompanied by *"a statement explaining how the proposed neighbourhood development plan meets the requirements of paragraph 8(2) of Schedule 4B to the 1990 Act"*.

This statement has been prepared in order to confirm compliance with these basic conditions as follows:

- Section 2 identifies the legislative requirements for the 'basic conditions';
- Section 3 identifies the matters that the appointed examiner must consider and confirms how the neighbourhood plan responds to them;
- Sections 4 to 9 set out the basic conditions and review how the neighbourhood plan meets these requirements;
- Section 10 confirms that the neighbourhood plan is compatible with the Convention Rights.

It is considered that the Sutton Neighbourhood Plan (SNP) complies with the requirements of the basic conditions as set out in Paragraph 8(1)(a) of Schedule 4B of the Act.

2. Legal Requirements

- 2.1 Paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990 (as amended) identifies the “Basic Conditions” that the neighbourhood plan must comply with.

Paragraph 8 (1) states that the examiner must consider:

- (a) whether the draft neighbourhood development plan meets the basic conditions (see sub-paragraph (2)),
- (b) whether the draft neighbourhood development plan complies with the provision made by or under sections 38A and 38B of this 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.

Paragraph 8 (6) stipulates that the examiner is not to consider any matter that does not fall within subparagraph (1) apart from considering whether the draft neighbourhood plan is compatible with the Convention rights.

Meeting the Legal Requirements

Compliance with the individual elements of the legal requirements is set out below.

Requirement	Interpretation	SNP response
4B 8 (1)(a) Whether the Draft NP meets the Basic Conditions	This requires the SNP to demonstrate compliance with paragraph 8(2) of Schedule 4B of the T&CP Act.	This is considered in detail in later sections of 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 is demonstrated in the following rows.
	Section 38A(1) “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.”	The Neighbourhood Plan has been submitted by Sutton Parish Council, a qualifying body (as defined in the Localism Act 2011),
	Section 38A(2) 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.”	The SNP sets out Policies that relate to the development and use of land for the Neighbourhood Area covering the Parish of Sutton, as designated by East Cambridgeshire District Council on 6 November 2014. The boundary of the Neighbourhood Area is shown in Chapter 1 of the SNP
	Section 38A, Paragraphs (3) - (12)	These paragraphs are not of relevance to the submission phase of the NP
	Section 38B(1)(a) The Neighbourhood Development Plan “Must specify the period for which it is to have effect.”	The plan period of the SNP is from 2017 to 2036

Requirement	Interpretation	SNP response
	Section 38B(1)(b) A Neighbourhood Development Plan "may not include provision about development that is excluded development."	The SNP does not contain policies relating to excluded development as defined in Section 61K of the Planning and Compulsory Purchase Act 2004
	Section 38B(1)(c) A Neighbourhood Development Plan may not relate to more than one neighbourhood area	The SNP does not relate to more than one neighbourhood area. It solely relates to the Neighbourhood Plan Area as designated by East Cambridgeshire District Council on 6 November 2014.
	Section 38B(2) Only one Neighbourhood Development Plan may be made for each neighbourhood area.	There are currently no other NP's in place in this neighbourhood area.
	Section 38B(3) If to any extent a policy set out in a Neighbourhood Development Plan conflicts with any other statement or information in the plan, the conflict must be resolved in favour of the policy.	There are no conflicts within the SNP
	Section 38B(4)(a) Regulations made by 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.	The Neighbourhood Planning (General) Regulations 2012 have been used to inform the preparation of the SNP.
	Section 38B(4)(b) Regulations made by the Secretary of State may make provisions "requiring Neighbourhood Development Plans to include such matters as are prescribed in the Regulations."	A screening process was carried out by the local planning authority to determine whether a Strategic Environment Assessment (SEA) or Habitat Regulations Assessment (HRA) would be required in support of the SNP. In both cases it was considered that the Neighbourhood Plan will not have significant environmental effects and that no European sites would be affected by the policies described in the SNP.
	Section 38B, which include paragraphs 38B(4)(c), 5 & 6,	The remaining requirements are not of relevance to this Basic Conditions Statement
4B 8 (1)(d) Whether The Referendum Should Extend Beyond The NP Area	This requires the examiner to consider whether the area for any referendum should extend beyond the NP Area to which it relates.	The SNP relates solely to land that falls within the Parish of Sutton.
4B 8 (1)(e) Other Matters 3.28.	This requires the examiner to consider such other matters as may be prescribed	There are no other prescribed matters.

3. Compliance with Basic Conditions

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 it:

1. Has regard to national policies and advice contained in guidance issued by the Secretary of State;
2. Contributes to the achievement of sustainable development;
3. Is in general conformity with the strategic policies of the development plan for the area; and
4. Is compatible with European Union (EU) and European Convention on Human Right (ECHR) obligations.

3.1 National Policy

The Sutton Neighbourhood Development Plan must have appropriate regard to national policy. The following section describes how the SNP relates to the National Planning Policy Framework (NPPF) which was originally published in 2012 and amended in July 2018. However, the transitional arrangements for the introduction of the new NPPF states that, where a neighbourhood plan is submitted to the local planning authority before 24 January 2019, then the 2012 NPPF will apply for the purposes of examining the plan. This Basic Conditions Statement therefore assesses the Sutton Neighbourhood Plan against the provisions of the 2012 NPPF. The 2012 NPPF is framed around a basic premise of the presumption in favour of sustainable development, comprising three main dimensions: economic, social and environmental. It requires the planning system, including the Neighbourhood Plan, where appropriate, to:

- *contribute to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;*
- *supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and*
- *contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.*

The NPPF, based on its principle of the presumption in favour of sustainable development, contains 12 core planning principles and 13 sustainability goals. The following section identifies how the Sutton Neighbourhood Development Plan meets the basic condition of having regard to the 12 core planning principles.

Core Planning Principles appraisal

NPPF Core Principle	Sutton NP Objectives	Sutton NP Policies
Plan-led	All the SNP objectives apply this approach	The Plan provides a positive vision to shape the village and deliver change
Enhance and improve places	All the SNP objectives apply this approach	<p>Policy NP1 - Ensures that locally identified green spaces that meet the national criteria are protected from inappropriate development.</p> <p>Policy NP2 - Includes a principle of retaining natural features and habitats, minimising any loss through development and encourages the creation of new landscape features and habitats.</p> <p>Policy NP3 - Limits outward growth of the village into the countryside to that which is required to meet housing need.</p> <p>Policy NP4 – Seeks the provision of a new village green, all weather pitch, playing fields and burial ground as part of an allocation for new housing.</p> <p>Policy NP8 - Protects the identified historic character of the village.</p> <p>Policy NP9 - Seeks to retain services and facilities in the village.</p> <p>Policy NP10 - Encourages further employment uses at the Business Park.</p> <p>Policy NP11 - Seeks to protect and enhance the retail facilities in the village.</p> <p>Policy NP12 - Seeks to protect the sport and recreation facilities in the village.</p>
Sustainable transport	Objective 6: Improve pedestrian and cycle routes and, where possible, promote public transport links	<p>Policy NP9 - Seeks to retain services and facilities in the village and reduce the need to travel.</p> <p>Policy NP10 - Encourages further employment uses at the Business Park and reduce the need to travel.</p> <p>Policy NP11 - Seeks to protect and enhance the retail facilities in the village and reduce the need to travel.</p> <p>Policy NP12 - Seeks to protect the sport and recreation facilities in the village and reduce the need to travel.</p>
Economic Development	Objective 4: Protection of existing shops, services and community infrastructure.	Policy NP9 - Seeks to retain services and facilities in the village.

NPPF Core Principle	Sutton NP Objectives	Sutton NP Policies
	<p>Objective 5: Supports small businesses and rural diversification and enterprise.</p>	<p>Policy NP10 - Encourages further employment uses at the Business Park.</p> <p>Policy NP11 - Seeks to protect and enhance the retail facilities in the village.</p>
<p>High quality design and standard of amenity</p>	<p>Objective 3: Seeks to ensure that the character of the village is retained and enhanced.</p> <p>Objective 7: Seeks the retention, provision and productive use of open space and leisure facilities.</p>	<p>Policy NP8 - Protects the identified historic character of the village.</p> <p>Policy NP12 - Seeks to protect the sport and recreation facilities in the village and reduce the need to travel.</p>
<p>Health, social and cultural well being</p>	<p>Objective 3: Seeks to ensure that new development is supported by essential community infrastructure.</p> <p>Objective 4: Protection of existing shops, services and community infrastructure.</p> <p>Objective 6: Promotes improvements for pedestrian and cycle facilities.</p> <p>Objective 7: Seeks the retention, provision and productive use of open space and leisure facilities.</p>	<p>Policy NP1 - Ensures that locally identified green spaces that meet the national criteria are protected from inappropriate development.</p> <p>Policy NP2 - Places a principle of retaining natural features and habitats, minimising any loss through development and encourages the creation of new landscape features and habitats.</p> <p>Policy NP4 – Seeks the provision of a new village green, all weather pitch, playing fields and burial ground as part of an allocation for new housing.</p> <p>Policy NP7 – Encourages a mix of new housing to meet the needs of local people, including an ageing population.</p> <p>Policy NP9 - Seeks to retain services and facilities in the village.</p> <p>Policy NP10 - Encourages further employment uses at the Business Park.</p> <p>Policy NP11 - Seeks to protect and enhance the retail facilities in the village.</p> <p>Policy NP12 - Seeks to protect the sport and recreation facilities in the village.</p>

3.2 The Sustainability Policies in the National Planning Policy Framework (NPPF)

The following section compares the thirteen Sustainable Development themes of the NPPF with those of the Sutton Neighbourhood Development Plan.

1. Building a strong, competitive economy

The Neighbourhood Plan acknowledges the Local Plan designation as a “Large Village” and promotes the retention and appropriate expansion of employment opportunities, particularly on Elean Business Park

2. Ensuring the vitality of town centres

Shops and amenities located in the village are supported by Policy NP9 which seeks to protect and encourage retail premises within the core of the village.

3. Supporting a prosperous rural economy

Policy NP10 - Encourages further employment uses at the Business Park.

4. Promoting sustainable transport

Policy NP9 - Seeks to retain services and facilities in the village and reduce the need to travel.

Policy NP10 - Encourages further employment uses at the Business Park and reduce the need to travel.

Policy NP11 - Seeks to protect and enhance the retail facilities in the village and reduce the need to travel.

Policy NP12 - Seeks to protect the sport and recreation facilities in the village and reduce the need to travel.

5. Supporting high quality communications infrastructure

Policies in the Neighbourhood Plan do not inhibit the provision of further high-quality communications infrastructure.

6. Delivering a wide choice of high quality homes.

Paragraph 50 of the NPPF requires plans to cater for current and future needs, to identify size, type and tenure, and to provide affordable housing where needed. The Neighbourhood Plan allocates three sites for housing development that will, combined, deliver up to 285 new homes in Sutton during the Neighbourhood Plan period including affordable housing.

Policy NP7 seeks to ensure that a mix of housing types are provided that reflect local needs including the needs of an ageing population.

7. Requiring good design.

The Neighbourhood Plan does not inhibit the delivery of new development of high-quality design and, through Policies NP3 and NP8, require proposals to have regard to their setting and character of the area.

8. Promoting healthy communities

The Neighbourhood Plan seeks to ensure that any development is proportionate to local need and that services and infrastructure is capable of accommodating such growth.

Policy NP1 protects important green spaces in the village that meet the specifications for Local Green Spaces.

Policy NP4 requires the provision of additional open space as part of a new housing development.

Policy NP9 seeks to retain services and facilities in the village.

Policy NP12 seeks to protect the sport and recreation facilities in the village and reduce the need to travel.

9. Protecting Green Belt land

The Sutton Neighbourhood Area does not include any designated green belt.

10. Meeting the challenge of climate change, flooding and coastal change

The Neighbourhood Plan does not contain policies or proposals that will directly result in additional flood risk arising from developments.

11. Conserving and enhancing the natural environment

The NPPF requires the planning system should contribute to and enhance the natural and local environment. The Plan has been prepared to have particular regard to the landscape setting of the village and ensures that it is not undermined by inappropriate development.

Policy NP2 Includes a principle of retaining natural features and habitats, minimising any loss through development and encourages the creation of new landscape features and habitats.

12. Conserving and enhancing the historic environment.

The importance of the character of the centre of the village is recognised by the designation of a conservation area and a number of listed buildings. Non-listed heritage assets have also been recognised by the local planning authority. The Neighbourhood Plan acknowledges these designations and supplements them through Policy NP8.

13. Facilitating the sustainable use of minerals

Mineral extraction is excluded development and is therefore not dealt with in the SNP.

3.3 Achieving Sustainable Development

The Neighbourhood Plan is required to contribute to the achievement of sustainable development, as defined in the NPPF and summarised elsewhere in this Basic Conditions Statement. Paragraph 7 of the National Planning Policy Framework (2012) states that there are three dimensions to sustainable development:

- to contribute to building a strong, responsive and competitive economy,
- to support strong, vibrant and healthy communities; and
- to contribute to protecting and enhancing the natural, built and historic environment.

The following statements identify how the SNP delivers sustainable development.

How the SNP Objectives relate to the three NPPF dimensions of sustainable development

NPPF Component	SNP Objectives
Economic	<p>Objective 4: Protects and supports existing shops, services and community infrastructure.</p> <p>Objective 5: Supports small businesses and rural diversification and enterprise.</p>
Social	<p>Objective 2: Requires new development to be focussed in a way that it can best meet the needs of residents in the Parish, young and old.</p> <p>Objective 3: Ensures that new housing is supported by essential community infrastructure.</p> <p>Objective 4: Seeks to ensure that existing shops, services and facilities are supported to ensure that Sutton remains a thriving and fully inclusive community.</p>
Environmental	<p>Objective 1: Ensures that the important habitats and natural assets are protected and strengthened.</p>

3.4 How the purpose of the Neighbourhood Plan policies achieves sustainable development

The table below identifies the purpose of each policy in the Neighbourhood Plan and its intended outcome in relation to achieving sustainable development as defined by the NPPF.

Policy	Purpose	Outcome
NP1	Identifies opens spaces that meet the criteria for designation as Local Green Spaces	Protects spaces that have an identifiable local importance to the village.
NP2	Protecting and maintaining features of landscape and biodiversity value	Limits the loss of features of landscape and biodiversity value as a result of development.
NP3	Defines the Development Envelope for the Neighbourhood Plan area	Provides a control mechanism whereby development outside the Development Framework boundary will only be supported in specific circumstances.
NP4	Housing Site Allocation	Policy makes provision for housing development during the lifetime of the Plan.
NP5	Housing Site Allocation	Policy makes provision for housing development during the lifetime of the Plan.
NP6	Housing Site Allocation	Policy makes provision for housing development during the lifetime of the Plan.
NP7	Type and size of new housing	Ensures that new housing development is designed to meet the identified local needs of the village.
NP8	Preserves and protects the historic characteristics	Ensures that development will not have a detrimental impact on the heritage assets of the village.
NP9	Protects existing services and features	Ensures that valued facilities or services are only lost to other uses when there is specific justification.
NP10	Promotes economic development	Enables further business development to take place at Elean Business Park.
NP11	Protects existing and promotes additional retail premises	Ensures that existing retail premises are not lost to other uses without justification and promotes new retail business with the village centre.
NP12	Protects sport and recreation facilities	Ensures that existing sport and recreation facilities are not lost to other uses without demonstrable justification.

3.5 General conformity with the strategic policies contained in the development plan

The Sutton Neighbourhood Development Plan (SNP) must demonstrate that it is in general conformity with the development plan for the local authority area concerned. The development plan currently in force for the SNP is the East Cambridgeshire Local Plan adopted on 21 April 2015 (Local Plan 2015).

A Local Plan Review is currently underway, and the new Local Plan was submitted to the government for examination in February 2018. At the time of the submission of the Neighbourhood Plan for examination, public hearings had been held by the Planning Inspector but there was no indication as to whether the Local Plan would be found sound and when it might be adopted.

Spatial Vision of Local Plan 2015

The Spatial Vision of the adopted East Cambridgeshire Local Plan states, as relevant to the SNP, that:

- In 2031, East Cambridgeshire will have maintained a high quality of life and retained its distinct identity as a predominantly rural area of villages and market towns, whilst accommodating the development of new homes and jobs.
- The district will have taken advantage of the economic vitality of the Cambridge sub-region, and have a diverse and thriving economy, with vibrant and attractive towns and villages which act as employment and service centres for their surrounding rural areas. More residents will have a high quality of life, with increased access to affordable housing, a wider range of local better skilled jobs, and good quality services and facilities.
- A mix of residential development will be delivered to meet local needs (including affordable housing), whilst ensuring necessary infrastructure and community facilities/services are in place to support growth. In the wider countryside, appropriate small-scale development will be allowed where this meets local needs and supports the long-term sustainability of a settlement.
- Wherever new housing is provided, it will respond to local needs and requirements as far as possible in terms of type, size and tenure. In addition, large developments will be of exemplar quality, and all new housing will be of high quality and well designed, ensuring that the distinctive character of the district's towns and villages is maintained and enhanced.

The SNP Vision is set out below, broken down in to distinct elements, with an indication as to how it conforms with the Core Strategy Vision.

SNP Vision Sutton should be a parish where:	Conformity with Core Strategy Vision
Its unique character is appreciated and cherished	Conforms
The quality of the environment is maintained and continues to improve	Conforms
The opportunities presented to all, young and old, to live and prosper continue to be enhanced	Conforms
The life led by its residents remains a healthy and happy one	Conforms

Fit of the Objectives of Sutton Neighbourhood Plan with the East Cambridgeshire Local Plan 2015

The table below identifies how the strategic objectives of the Local Plan 2015 and the SNP complement each other.

Local Plan Strategic Objective	Neighbourhood Plan Objectives
1. Support the local economy and help create more jobs in the district, which meet local employment needs, reduces out-commuting, and helps to increase the sustainability and self-containment of communities in East Cambridgeshire.	Objective 5: Supporting small businesses and rural diversification and enterprise
2. Provide a range of new housing in appropriate locations, which meets local housing needs as far as possible.	Objective 2: New development to be focussed in a way that it can best meet the needs of residents in the Parish, young and old. Objective 3: Ensures that new housing is supported by essential community infrastructure.
3. Support and enhance the vitality and viability of town and village centres, as places for shopping, leisure and community activities.	Objective 3: Ensures that new housing is supported by essential community infrastructure. Objective 4: Seeks to ensure that existing shops, services and facilities are supported to ensure that Sutton remains a thriving and fully inclusive community. Objective 7: Seeks the retention, provision and productive use of open space and leisure facilities.
4. Ensure that new development is of high quality and sustainable design which reflects local character and distinctiveness, provides attractive and safe environments, and is supported by appropriate facilities and services.	Objective 3: Seeks to ensure that the character of the village is retained and enhanced and that new housing is supported by essential community infrastructure. Objective 4: Seeks to ensure that existing shops, services and facilities are supported to ensure that Sutton remains a thriving and fully inclusive community. Objective 7: Seeks the retention, provision and productive use of open space and leisure facilities.
5. Protect and enhance the quality, local distinctiveness and diversity of the natural, historic and built environment.	Objective 1: Ensures that the important habitats and natural assets are protected and strengthened. Objective 3: Seeks to ensure that the character of the village is retained and enhanced.

Local Plan Strategic Objective	Neighbourhood Plan Objectives
6. Protect the open countryside and land within the Green Belt against insensitive and sporadic development.	Objective 1: Ensures that the important habitats and natural assets are protected and strengthened.
7. Reduce the environmental impact of development and vulnerability to the impacts of climate change by reducing pollution and waste, maximising water and energy efficiency, dealing with flood risk and surface water management, and promoting the use of renewable energy sources and sustainable construction methods.	There are no objectives in the Neighbourhood Plan that directly compliment this Local Plan objective. However, neither do the objectives undermine it.
8. Provide greater opportunities to reduce car use, by locating most development where there is good access to jobs, services and facilities, and supporting improvements in public transport and walking/cycling networks.	Objective 6: Improve pedestrian and cycle routes and, where possible, promote public transport links
9. Ensure a high quality of life by maintaining and delivering strategic and local infrastructure and facilities needed to support local communities.	<p>Objective 3: Ensures that new housing is supported by essential community infrastructure.</p> <p>Objective 4: Seeks to ensure that existing shops, services and facilities are supported to ensure that Sutton remains a thriving and fully inclusive community.</p> <p>Objective 7: Seeks the retention, provision and productive use of open space and leisure facilities.</p>
10. Support the expansion of the tourist economy and the ability of the district to act as a tourist destination which attracts high numbers of visitors for longer stays.	There are no objectives in the Neighbourhood Plan that directly compliment this Local Plan objective. However, neither do the objectives undermine it.

3.6 Compatibility of the SNP with the Strategic Policies of the Development Plan

The Government's Planning Practice Guidance states that "A local planning authority should set out clearly its strategic policies in accordance with paragraph 184 of the National Planning Policy Framework (2018) and provide details of these to a qualifying body and to the independent examiner." It further states that:

"Strategic policies will be different in each local planning authority area. When reaching a view on whether a policy is a strategic policy the following are useful considerations:

- whether the policy sets out an overarching direction or objective
- whether the policy seeks to shape the broad characteristics of development
- the scale at which the policy is intended to operate
- whether the policy sets a framework for decisions on how competing priorities should be balanced
- whether the policy sets a standard or other requirement that is essential to achieving the wider vision and aspirations in the Local Plan
- in the case of site allocations, whether bringing the site forward is central to achieving the vision and aspirations of the Local Plan
- whether the Local Plan identifies the policy as being strategic"

East Cambridgeshire District Council have not identified which of the policies in the Local Plan 2015 are determined to be "strategic". However, the Fordham Neighbourhood Plan was examined in 2018 and found to meet the Basic Conditions, subject to amendment. This Basic Conditions Statement has therefore taken guidance from the Fordham Basic Conditions Statement in order to appraise the policies of the Neighbourhood Plan against the Local Plan strategic policies.

The table below provides details of the policies in the development plan, a link to the SNP policy (where relevant) and a narrative of conformity of the SNP with the development plan.

Local Plan Strategic Policy	Neighbourhood Plan Policy	Comment
Policy Growth 1 - Levels of housing, employment and retail growth	NP4 – Land north of The Brook and west of Mepal Road NP5 – Land east of Garden Close NP6 – Land north of Mill Field, Mepal Road NP10 – Elean Business Park NP11 – Retail premises	Local Plan Policy 1 identifies the amount of housing, employment and retail growth that will take place in the district to 2031. The SNP allocates sites for housing and employment in accordance with this strategy.
Policy Growth 2 – Locational Strategy	NP3 – Sutton Development Envelope NP4 – Land north of The Brook and west of Mepal Road NP5 – Land east of Garden Close NP6 – Land north of Mill Field, Mepal Road NP10 – Elean Business Park NP11 – Retail premises	<p>Local Plan Policy 2 sets out a high level strategy for the distribution of growth across the district, identifying that more limited development will take place in villages which have a defined development envelope, thereby helping to support local services, shops and community needs.</p> <p>SNP accords with this strategy in that the planned development is within the Development Framework, as amended by the Neighbourhood Plan, and supports local services and community needs.</p>
Policy Growth 3 – Infrastructure Requirements	NP3 – Sutton Development Envelope NP9 – Protecting existing services and facilities NP12 – Sport and Recreation Facilities	<p>The Local Plan policy sets out a strategy for the provision of infrastructure and the key infrastructure requirements.</p> <p>The Neighbourhood Plan does not undermine this approach.</p>
Policy Growth 4 – Delivery of growth	NP3 – Sutton Development Envelope NP4 – Land north of The Brook and west of Mepal Road NP5 – Land east of Garden	<p>The Local Plan policy identifies the amount of housing, employment and retail development planned across the district to 2031. It allocates a site north of The Brook, Sutton for 50 dwellings.</p> <p>The policies and allocations in the Neighbourhood Plan support this approach.</p>

Local Plan Strategic Policy	Neighbourhood Plan Policy	Comment
	<p>Close</p> <p>NP6 – Land north of Mill Field, Mepal Road</p> <p>NP10 – Elean Business Park</p> <p>NP11 – Retail premises</p>	
Policy Growth 5 – Presumption in favour of sustainable development	All policies apply	The Local Plan policy seeks to to secure development that improves the economic, social and environmental conditions in the area. The SNP policies complement this approach.
Policy Growth 6 – Community-led development	No specific policies apply	The Local Plan policy supports community-led development, such as schemes involving affordable housing, small business units, renewable energy generation and other appropriate uses. The SNP does not contradict the local plan policy.
Policy HOU1 – Housing Mix	NP7 – Housing Mix	The Local Plan policy sets a broad framework for the achievement of a mix of housing within different categories of development. Policy NP7 compliments this approach by identifying the particular local need for Sutton.
Policy HOU2 – Housing density	<p>NP4 – Land north of The Brook and west of Mepal Road</p> <p>NP5 – Land east of Garden Close</p> <p>NP6 – Land north of Mill Field, Mepal Road</p>	<p>The Local Plan policy states that the housing density of a scheme will be judged on a site-by-site basis, taking into account a number of criteria.</p> <p>The site allocations in the SNP has been prepared in accordance with this policy.</p>
Policy EMP1 - Retention of existing employment sites and allocations	NP10 – Elean Business Park	The Local Plan policy seeks the retention of land and premises currently or last used for employment purposes. Policy NP10 accords with this policy.
Policy ENV1 – Landscape and Settlement Character	<p>NP1 – Local Green Space</p> <p>NP2 – Protecting and Maintaining Features of Landscape and Biodiversity Value</p> <p>NP8 – Preserving the Historic Characteristics of Sutton</p>	<p>The Local Plan policy seeks to ensure that the location, scale, form, design, materials, colour, edge treatment and structural landscaping of proposals will create positive, complementary relationships with existing development, identifying specific matters that should be taken into account.</p> <p>The identified policies in the SNP are complimentary to Policy ENV1.</p>
Policy ENV2 – Design	NP3 – Sutton Development	The Local Plan policy requires new development proposals to be designed to a

Local Plan Strategic Policy	Neighbourhood Plan Policy	Comment
	<p>Envelope</p> <p>NP4 – Land north of The Brook and west of Mepal Road</p> <p>NP5 – Land east of Garden Close</p> <p>NP6 – Land north of Mill Field, Mepal Road</p> <p>NP8 – Preserving the Historic Characteristics of Sutton</p> <p>NP10 – Elean Business Park</p>	<p>high quality, enhancing and complementing local distinctiveness and public amenity by relating well to existing features and introducing appropriate new designs.</p> <p>The identified policies in the SNP are complimentary to Policy ENV2.</p>
Policy ENV7 – Biodiversity and geology	NP2 - Protecting and Maintaining Features of Landscape and Biodiversity Value	<p>The Local Plan policy requires new development to protect land with biodiversity and geological value, allows for mitigation measures where appropriate and maximise opportunities for creation, restoration, enhancement and connection of natural habitats.</p> <p>Policy NP2 is complimentary to this approach and includes additional measures for the protection of hedgerows.</p>
Policy ENV11 – Conservation Areas	NP8 – Preserving the Historic Characteristics of Sutton	<p>The Local Plan policy seeks development proposals in a conservation area to be of a high standard of design and materials in order to preserve or enhance the character of the area.</p> <p>Policy NP8 supplements this policy by identifying local areas of importance within the village where proposals should have regard to that areas characteristics.</p>
Policy ENV 12: Listed Buildings	NP8 – Preserving the Historic Characteristics of Sutton	<p>The Local Plan policy sets out criteria whereby proposals that would have an impact on a listed building may or may not be permitted.</p> <p>Policy NP8 compliments this approach</p>
Policy ENV 13: Local Register of Buildings and Structures	NP8 – Preserving the Historic Characteristics of	The Local Plan policy states that proposals that affect a building or structure on the Local Register will not be permitted where it would have a detrimental impact

Local Plan Strategic Policy	Neighbourhood Plan Policy	Comment
	Sutton	on the visual, architectural or historic significance of the asset. Policy NP8 compliments this approach
Policy COM1: Location of retail and town centre uses	NP11 – Retail premises	The policy identifies in what circumstances proposals for new retail development in settlements such as Sutton will be permitted. Policy NP11 compliments this approach.
Policy COM3: Retaining community facilities	NP9 – Protecting existing services and facilities	The Local Plan policy sets out criteria against which proposals for the loss of community facilities will be considered. Policy NP9 is in conformity with this policy.
Policy SUT1: Housing allocation, land north of The Brook	NP4 – Land north of The Brook and west of Mepal Road	The Local Plan policy allocates a site north of The Brook for 50 dwellings. The site is part of the larger site allocated in Policy NP4.

4. Compatibility with European Union Obligations and Human Rights

Environmental Impact and Habitat Regulations

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.

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. The Environmental Assessment of Plans and Programmes Regulations 2004 (the Regulations) that this is to be determined by a screening process which should use a specified set of criteria (set out in Schedule 1 of the Regulations). The results of this process must be set out in an SEA Screening Statement, which must be publicly available

In accordance with Regulation 9 of the Regulations, Sutton Parish Council requested East Cambridgeshire District Council, as the responsible body, to consider whether an environmental assessment of the emerging Sutton Neighbourhood Plan is required. The District Council subsequently made this determination following consultation with the statutory consultees. The determination is set out in a report dated 16 July 2018 and the conclusion of the determination was subsequently confirmed by the appropriate statutory bodies. In line with Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (as amended) the screening determination is also submitted to East Cambridgeshire District Council alongside the Neighbourhood Development Plan.

Human rights and equality impact assessment

The overall purpose of the Neighbourhood Development Plan is to improve the quality of life for people living and working now and in the future in the parish from an environmental, social and economic point of view. The aims and policies in the Neighbourhood Plan have been formulated in response to local people's views and in the light of evidence gathered for the parish, in order to meet the needs expressed and address the issues identified. In order to confirm that the SNP does not have any unintended consequences for particular groups the strategic aims and the policies in the Plan have been systematically scrutinised to ensure that they do not disadvantage any potentially vulnerable groups. The Equality Act 2010 places a duty on all public authorities in the exercise of their functions to have regard to the need to eliminate discrimination, to advance equality of opportunity, and to foster good relations between persons who have a "protected characteristic" and those who do not. "Protected characteristics" are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation. This section assesses the Submission Draft of the SNP to ensure that Sutton Parish Council is satisfying its statutory duties in this regard. An assessment has been made on whether the objectives and the policies in the Neighbourhood Plan have a positive, negative or neutral impact on each of the protected characteristics. The purpose of each of the objective and the policies in the Neighbourhood Plan are provided, and their likely impact on persons with protected characteristics is assessed.

Impact of Objectives of Sutton Neighbourhood Development Plan on Persons with Protected Characteristics

SNP Objectives	Outcome for persons with Protected Characteristics
Objective 1: The important habitats and natural assets of the Parish should be protected and strengthened and,	Promotes the retention and improvement of natural habitats Neutral impact on persons with protected

SNP Objectives	Outcome for persons with Protected Characteristics
where appropriate, opportunities for their enjoyment by residents should be enhanced	characteristics
Objective 2: All new development should be focussed on the way it can best meet the needs of the residents of the Parish, young and old	Seeks to ensure that new development meets local needs Positive impact for persons with certain protected characteristics.
Objective 3: New housing should be delivered in a way that ensures it is supported by essential community infrastructure and that ensures the character of the village, in particular the central core and conservation area, is retained and, wherever possible, enhanced	Limits any detrimental impact that new housing could have on community infrastructure and the historic environment. Neutral impact on persons with protected characteristics
Objective 4: Existing shops, services and community infrastructure should be protected and supported by the policies of the Plan to ensure that Sutton remains a thriving and fully inclusive rural community	Seeks to maintain existing services and facilities in the village. Positive impact for persons with certain protected characteristics.
Objective 5: Small businesses and the opportunities provided to the local workforce should be supported and strengthened through a positive approach to rural diversification and enterprise	Encourages the provision of jobs in the local community. Broadly positive impact for persons with protected characteristics
Objective 6: All new development to be delivered in a way which facilitates improvements for pedestrians and cyclists alongside adequate vehicular access and where possible promotes public transport links.	Encourages provision of routes and services for modes of travel other than the car. Broadly positive impact for persons with protected characteristics
Objective 7: The retention, provision and productive use of open space and leisure facilities in and around the village should be secured wherever reasonably possible;	Seeks to retain and improve the open space and leisure facilities in the village. Broadly positive impact for persons with protected characteristics

Impact of Sutton Neighbourhood Development Plan Policies on Persons with Protected Characteristics

Policy	Purpose	Outcome
NP1	Identifies open spaces that meet the criteria for designation as Local Green Spaces	Ensures that locally important open spaces are protected from development Broadly positive impact for persons with certain protected characteristics
NP2	Protecting and maintaining features of landscape and biodiversity value	Places a principle of retaining natural features and habitats, minimising any loss through development and encourages the creation of new landscape features and habitats. Neutral impact for persons with certain protected characteristics
NP3	Defines the Development	Limits outward growth of the village into the countryside to that which is required to meet housing need.

Policy	Purpose	Outcome
	Envelope for the Neighbourhood Plan area	Neutral impact for persons with certain protected characteristics
NP4	Housing Site Allocation	Allocates a site for housing, including affordable housing and other community facilities. Broadly positive impact for persons with certain protected characteristics
NP5	Housing Site Allocation	Allocates a site for housing, including affordable housing. Allocates a site for housing, including affordable housing
NP6	Housing Site Allocation	Allocates a site for housing. Neutral impact for persons with certain protected characteristics
NP7	Type and size of new housing	Seeks to deliver new housing that meets the needs of the local community. Positive impact for persons with certain protected characteristics
NP8	Preserve and protects the historic characteristics of the village	Protects the identified historic character of the village. Neutral impact for persons with certain protected characteristics
NP9	Protects existing services and features	Seeks to retain services and facilities in the village. Positive impact for persons with certain protected characteristics
NP10	Promotes economic development	Encourages further employment uses at the Business Park. Broadly positive impact for persons with certain protected characteristics
NP11	Protects existing and promotes additional retail premises	Seeks to protect and enhance the retail facilities in the village. Broadly positive impact for persons with certain protected characteristics
NP12	Safeguards existing sport and recreation facilities	Seeks to protect the sport and recreation facilities in the village Broadly positive impact for persons with certain protected characteristics

Certain protected characteristics are not affected by the SNP, namely gender reassignment, race, religion, or sexual orientation. For persons with these characteristics, the Plan has a neutral effect. Where policies in the Plan would adversely affect persons with these protected characteristics, they would not be differently affected than persons without these characteristics. For example, if a person with these protected characteristics were disadvantaged by a policy, it would have the same consequence for a person without the protected characteristic who wished to do the same thing. Similarly, if a person with one of these protected characteristics were to benefit from a policy, it would have the same benefit for a person without the protected characteristic in the same circumstances.