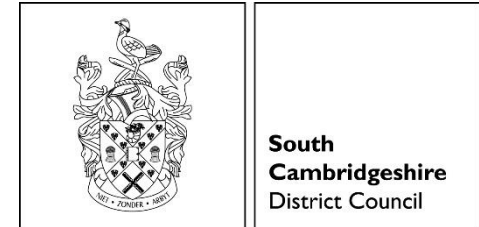


Appendix 2

Basic Conditions and Legal Compliance Check – made(adopted) Neighbourhood Plan



Waterbeach Neighbourhood Plan – March 2022

Basic Conditions Check

Requirements	Local Planning Authority Comments	Basic Condition met?
The Neighbourhood Plan has regard to national policies and advice contained in guidance issued by the Secretary of State and it is appropriate to make the Neighbourhood Plan.	<p>The Council considers that the Neighbourhood Plan is consistent with national policies and advice in that the core land use planning principles set out in the National Planning Policy Framework(2021) have been embodied in the Neighbourhood Plan. Specifically, the Neighbourhood Plan seeks :</p> <ul style="list-style-type: none">• to ensure high quality design (Policies WAT 14 and WAT 15) see Chapter 12 of NPPF which seeks to achieve well designed places.• to conserve and enhance the historic character of the village (Policy WAT 11) see Chapter 16 of NPPF which seeks to achieve well designed places.• To support the delivery of new homes and that they meet the needs for the different groups in the community (Policies WAT21, WAT 22, WAT 23 and WAT 24) see chapter 5 of the NPPF which	Yes

Requirements	Local Planning Authority Comments	Basic Condition met?
	<p>considers the delivery of a sufficient supply of homes.</p> <ul style="list-style-type: none"> • to provide for a successful economy (Policy WAT13) see paragraph 82 of NPPF which seeks to enable the growth and expansion of all types of business in rural areas. • to safeguard community uses (Policies WAT10 and WAT 18) see Paragraph 93 in NPPF which seeks to retain and develop accessible local services and community facilities and paragraphs 101-103 in NPPF which allows for the designation of Local Green Space • to safeguard important natural habitats (Policy WAT 20) see paragraph 174 of NPPF which seeks to protect and enhance biodiversity. • to protect and enhance walking and cycling routes (Policies WAT 1, WAT 2, WAT 3, WAT 4 and WAT 9) see Chapter 9 of NPPF which seeks to promote sustainable transport. • to take the opportunity for environmental enhancement of the village (Policy WAT10) see chapter 11 of NPPF about making effective use of land. • To promote sustainable transport around the parish linking the new settlement to the main Waterbeach village (Policies WAT 5, WAT 6 WAT 7, WAT 8 see chapter 9 of NPPF which considers promoting sustainable transport and chapter 8 promoting healthy and safe communities. 	

Requirements	Local Planning Authority Comments	Basic Condition met?
	<p>This conclusion is consistent with the examiner's conclusions that the Neighbourhood Plan has had regard to national planning policies and guidance, in that it sets out a clear vision and suite of policies and proposals for the neighbourhood area. The examiner has recommended a series of modifications to provide clarity and precision to the policies to ensure that the Neighbourhood Plan fully accords with national policy and guidance. SCDC and Waterbeach Parish Council have agreed each of the recommended modifications and the modifications are included in the 'Referendum' version of the Neighbourhood Plan.</p>	
<p>The making of the Neighbourhood Plan contributes to the achievement of sustainable development.</p>	<p>The Council considers that the Neighbourhood Plan contributes to the achievement of sustainable development, specifically by:</p> <ul style="list-style-type: none"> • Contributing to the economic aspects by having policies to meet local housing needs (Policies WAT21, WAT 22 and WAT 23) and promotes a successful economy (Policy WAT 13) • Contributing to the social aspects by seeking to provide a vibrant community by promoting and safeguarding community uses and spaces (Policies WAT 10, WAT 11, WAT 17 and WAT 18) • Contributing to the environmental aspect by having a range of policies which include ones which seek to conserve the character of the area (Policy WAT 11); safeguard natural habitats 	<p>Yes</p>

Requirements	Local Planning Authority Comments	Basic Condition met?
	<p>(Policy WAT 20) and ensure high quality design (Policies WAT 14 and WAT 15) and encourage means of transport other than cars (Policies WAT 2, WAT 3, WAT 4, WAT 5, WAT 7 and WAT 9)</p> <p>This conclusion is consistent with the examiner's conclusion that the Neighbourhood Plan has set out to achieve sustainable development in the neighbourhood area. (See paragraph 5.6 – 5.8 on pages13 - 14 of his report)</p>	
<p>The Neighbourhood Plan is in general conformity with the strategic policies contained in the development plan for the area.</p>	<p>The development plan for South Cambridgeshire consists of the adopted South Cambridgeshire Local Plan 2011-2031, and a list of strategic policies is included in Appendix E of the Local Plan. The Basic Conditions Statement, submitted by Waterbeach Parish Council, considers whether the Neighbourhood Plan is in general conformity with these strategic policies.</p> <p>The Council considers that the Neighbourhood Plan policies are in general conformity with the strategic policies in the adopted South Cambridgeshire Local Plan.</p> <p>This conclusion is consistent with the examiner's conclusion that the Neighbourhood Plan is in general conformity with the strategic policies in the development plan. He considers the extent to which the policies and proposal are in general conformity in detail in chapter 6 of his report. (See pages 17 – 50 of his report)</p>	<p>Yes</p>

Requirements	Local Planning Authority Comments	Basic Condition met?
<p>The making of the Neighbourhood Plan does not breach, and is otherwise compatible with, EU obligations.</p> <p>Prescribed conditions are met in relation to the Neighbourhood Plan, including that the making of the neighbourhood plan is not likely to have a significant effect on a European wildlife site or a European offshore marine site either alone or in combination with other plans or projects.</p>	<p>The Council considers that the Neighbourhood Plan does not breach and is compatible with EU Obligations.</p> <p><u>Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA)</u>: a SEA screening has been undertaken that determines that the Neighbourhood Plan is unlikely to result in significant environmental impacts and therefore does not require a SEA. A HRA screening has also been undertaken that indicates that the Neighbourhood Plan is not predicted to have significant effects on any European site, either alone or in conjunction with other plans and projects. These conclusions are supported by the responses from the statutory bodies.</p> <p>As the modifications made to the Waterbeach Neighbourhood Plan following its examination do not change the essence of its planning policies, the SEA and HRA screening undertaken on a draft version of the Neighbourhood Plan in February 2020, and the screening determination published in March 2020 remain valid.</p> <p>This conclusion is consistent with the examiner's conclusion that a proportionate process has been undertaken in accordance with the various regulations and the Neighbourhood Plan is compatible with</p>	<p>Yes</p>

Requirements	Local Planning Authority Comments	Basic Condition met?
	<p>European obligations. (See paragraph 5.13 – 5.19 on pages 15 -16 of his report)</p> <p><u>Human Rights</u>: an assessment has been undertaken to examine the impact of the Neighbourhood Plan policies on persons who have a ‘protected characteristic’ and the results of this assessment are included in the Basic Conditions Statement. The Council is supportive of the assessment which concludes that 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. No sectors of the community would be discriminated against, would generally have public benefits and encourage the social sustainability of the plan area</p> <p>This conclusion is consistent with the examiner’s conclusion that he is satisfied across the Plan as a whole, no sectors of the community are likely to be discriminated against. The policies together would generally have public benefits and encourage the social sustainability of the neighbourhood. (See paragraph 5.27 on page 17 of his report).</p>	

CONCLUSION: South Cambridgeshire District Council has confirmed that the ‘Made’ version of the Waterbeach Neighbourhood Plan meets the Basic Conditions.

* Please note that all references to primary and secondary legislation are to those enactments as amended.