

**Filby Parish Council**

**Filby Neighbourhood Plan Statement of Basic Conditions**

**Submitted under Regulation 15 (2) of the Neighbourhood  
Planning (General) Regulations 2012 (as amended)**

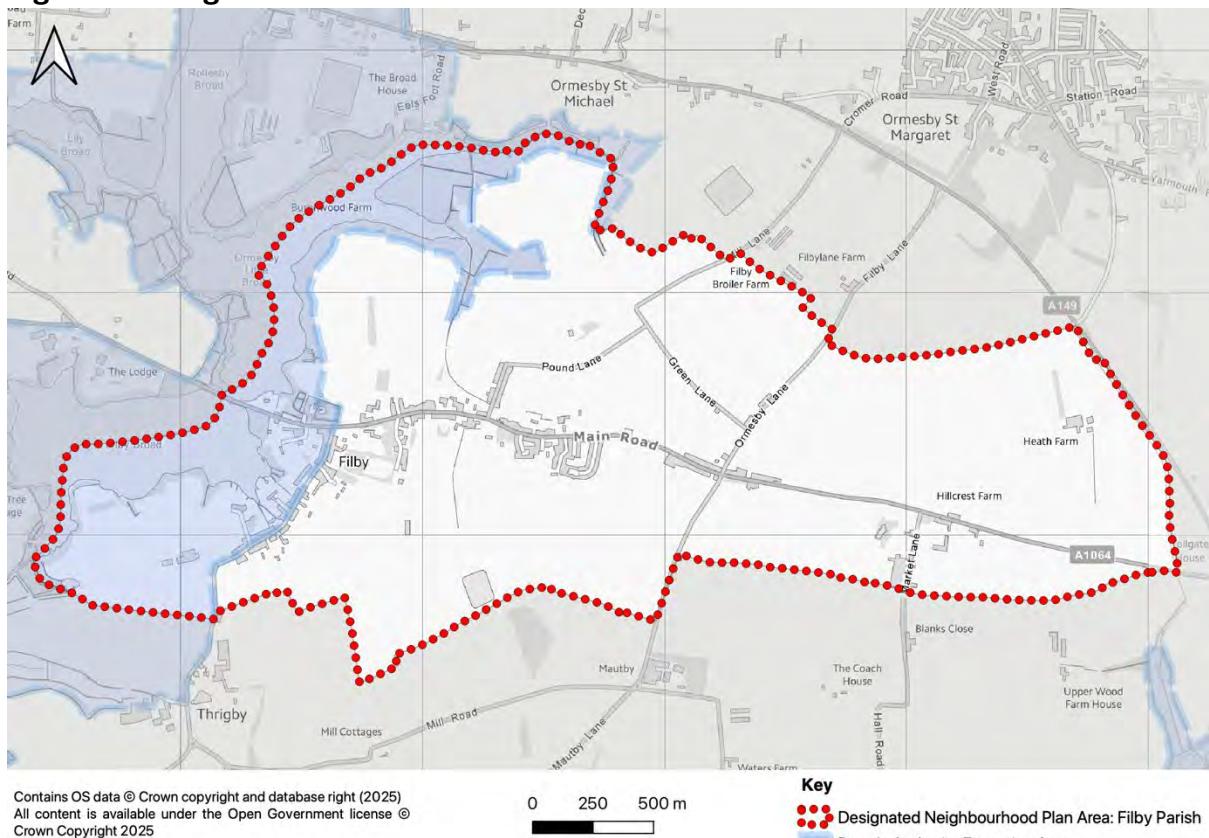
**December 2025**



## **Table of Contents**

<b>SECTION 1: INTRODUCTION .....</b>	<b>1</b>
<b>SECTION 2: LEGAL AND REGULATORY COMPLIANCE .....</b>	<b>2</b>
<b>SECTION 3: DUE REGARD TO THE NPPF .....</b>	<b>3</b>
<b>SECTION 4: SUSTAINABLE DEVELOPMENT.....</b>	<b>10</b>
<b>SECTION 5: GENERAL CONFORMITY WITH LOCAL STRATEGIC POLICIES.....</b>	<b>10</b>
<b>SECTION 6: EU OBLIGATIONS .....</b>	<b>19</b>
<b>SECTION 7: PRESCRIBED CONDITIONS .....</b>	<b>19</b>

**Figure 1: Designated Area**



## Section 1: Introduction

1. This Statement of Basic Conditions forms part of the submission documents required under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (as amended). This document demonstrates how the Filby Neighbourhood Plan Review (2022–2041) meets the Basic Conditions and other legal requirements, following the review of the 2022 'made' plan. It has been prepared by [Collective Community Planning](#) on behalf of Filby Parish Council to accompany the Filby Neighbourhood Development Plan 2022-2041 (FNP).
2. The purpose of the statement is to demonstrate that FNP meets the legal requirements for a Neighbourhood Plan and the five basic conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990, as applied to Neighbourhood Development Plans by Section 38A of the Planning and Compulsory Purchase Act 2004.
3. The five basic conditions that a neighbourhood plan is expected to meet are:
  - a) Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood development plan;
  - b) The making of the neighbourhood development plan contributes to the achievement of sustainable development;

- c) The making of the neighbourhood development plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);
  - d) The making of the neighbourhood development plan does not breach, and is otherwise compatible with EU obligations; and
  - e) Prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the proposal for the plan.
4. There is one prescribed basic condition for Neighbourhood Development Plans, in relation to e) above, that *“the making of the neighbourhood development plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2010) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007), either alone or in combination with other plans or projects”*.
5. This statement confirms that:
- The legal compliance requirements have been met (section 2);
  - FNP has had due regard to national policies and advice contained in guidance issued by the Secretary of State (Section 3);
  - FNP contributes towards sustainable development (Section 4);
  - FNP is in general conformity with the strategic policies contained in the local plans for Great Yarmouth and the Broads Authority (Section 5).
  - FNP does not breach and is otherwise compatible with EU obligations, and that its making is not likely to have a significant effect on the environment, either alone or in combination with other plans or projects (Section 6); and
  - FNP meets the prescribed conditions for Neighbourhood Development Plans (Section 7).

## Section 2: Legal and Regulatory Compliance

6. FNP has been prepared in accordance with The Neighbourhood Planning (General) Regulations 2012 (as amended). The plan also has regard to policies within the National Planning Policy Framework (NPPF) and guidance from the National Planning Practice Guidance (NPPG). The NPPG largely reflects the Regulations, providing further guidance as to how such requirements can be met.
7. FNP is a neighbourhood plan for the parish of Filby within Great Yarmouth and part of the Broads Authority Executive Area. The parish already has an adopted neighbourhood plan and this is a review of this document. The qualifying body for FNP is the Parish Council. FNP includes a map of the designated area, see **Figure 1** of this report.
8. FNP sets out policies in relation to development and the use of land in the designated neighbourhood area, and which has been prepared in accordance with the statutory provisions. Initial consultations had due regard to guidance whilst the Regulation 14 (Pre-Submission) consultation was consistent with the specific regulatory requirements, as detailed in the Consultation Statement.

9. FNP covers the period 2022–2041, which aligns with the timeframes of the emerging Great Yarmouth and Broads Local Plans. The Local Plan Review for the Broads time period is 2021 to 2042 and the Great Yarmouth Local Plan Review period will run to 2041. FNP is also in general conformity with the strategic policies in the relevant local plans including the Great Yarmouth Local Plan (2013-2030) and the Broads Local Plan (2019-2036).
10. FNP does not include provision of development types that are excluded development, such as minerals and waste matters, nationally significant infrastructure projects or other prescribed development under Section 61K of the Town and Country Planning Act 1990.
11. Accordingly, the Filby Neighbourhood Plan Review is legally compliant with the requirements of the Neighbourhood Planning (General) Regulations 2012 (as amended).

## Section 3: Due Regard to the NPPF

12. National planning policy is set out in the NPPF. The version relevant to this plan was published in December 2024. FNP has been prepared with the policies and guidance contained within the NPPF at its core. The NPPF sets out more specific guidance on neighbourhood plans at Paragraphs 29 to 31, but there is relevant policy throughout other parts of the NPPF.
13. **Figure 2** below demonstrates how each policy in the Filby Neighbourhood Plan has had due regard to the National Planning Policy Framework (December 2024) and accompanying Planning Practice Guidance. It also highlights where the Plan provides locally specific detail to support delivery of national objectives. It should be noted that the table is not exhaustive and there may be other cross-references that are not included.

**Figure 2: National Planning Policy Framework**

FNP	NPPF (and PPG) Cross References	Comments
Policy H1: Housing Type and Mix	<b>NPPF</b> <ul style="list-style-type: none"> <li>- Para 8, Para 11,</li> <li>- <b>Section 5 (Delivering a sufficient supply of homes)</b> Para 61-63</li> </ul> <p><b>Housing needs of different groups:</b> PPG Paragraph: 001 Reference ID: 67-001-20190722</p>	<p>Policy H1 provides additional local detail that will help ensure housing development meets the needs of the community based on the proportionate evidence base produced for the Neighbourhood Plan in line with consultation with the community.</p> <p>This policy conforms with the NPPF Para 61-63 which sets out how planning policies should reflect the different needs regarding size, type, and tenure in the community.</p>
Policy H2: Design	<b>NPPF</b> <ul style="list-style-type: none"> <li>- <b>Section 3- Plan making</b> Para 29</li> <li>- <b>Section 12 Achieving well-designed places</b>, para 131-135</li> </ul> <p><b>Design: process and tools-</b> PPG Paragraph: 002 Reference ID: 26-002-20191001</p>	<p>Policy H2 states all development must be designed to a high standard. Development should follow the guidance set out in the Filby Design Guidance and Codes Document (2024).</p> <p>The policy conforms to the NPPF and PPG by setting out a clear design vision to meet local aspirations for the FNP and the expectation applications are to follow. The NPPF (December 2024) Para 132 states that design codes can be prepared at a neighbourhood scale and can carry weight in design making. They should be produced either as part of a plan or as supplementary planning documents.</p>
Policy E1: Biodiversity and Wildlife Corridors	<b>NPPF</b> <ul style="list-style-type: none"> <li>• <b>Para 8c</b></li> <li>• <b>Section 11 Making effective use of land</b> Para 125</li> <li>• <b>Section 12 Achieving well-designed places</b>, Para 132-135</li> <li>• <b>Section 15 Conserving and enhancing the natural environment</b> Para 180, 185</li> </ul>	<p>Policy E1 requires the protection and enhancement of local biodiversity in Filby and supports proposals which take actions to conserve and incorporate biodiversity features into developments. The policy also makes reference to proposals must first achieve biodiversity net gain requirements in line with national policy and identifies local wildlife corridors enhancements could be focused within.</p> <p>The policy conforms to the NPPF and PPG since Para 187 states planning policies</p>

FNP	NPPF (and PPG) Cross References	Comments
	<p><b>Climate Change</b> PPG Paragraph: 001 Reference ID: 6-001-20140306</p> <p><b>Green Infrastructure-</b> Paragraph: 005 Reference ID: 8-005-20190721, Paragraph: 006 Reference ID: 8-006-20190721</p> <p><b>Natural Environment</b> Para: 020, 021, 022 Reference ID: 8-020-20190721</p>	<p>should contribute to protecting and enhancing sites of biodiversity value and minimising impacts on and providing net gains for biodiversity. Para 192 also goes further to say that plans must identify and map local wildlife rich habitats and wider ecological networks for biodiversity. Promoting the enhancement or restoration of priority habitats, ecological networks and species also allows opportunities for securing measurable net gain for biodiversity (Para 185b).</p>
Policy E2: Trees and Hedgerows	<p><b>NPPF</b> <b>Para 8c</b> <b>Section 12 Achieving well-designed and beautiful places</b> Para 131-136</p> <p><b>Section 15 Conserving and enhancing the natural environment</b> Para 187,193</p>	<p>Policy E2 sets out detail on how proposals must deal with existing trees and hedgerows.</p> <p>The policy conforms to the NPPF since the NPPF makes note how trees make an important contribution to the character and quality of environments and can help mitigate and adapt to climate change. Para 136 states how planning policies should take opportunities to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly planted trees, and that existing trees are retained wherever possible. Para 187 states planning policies should recognise the intrinsic character of the countryside and wider benefits including trees and woodland.</p>
Policy E3: Local Green Spaces	<p><b>NPPF</b> <b>Para 8c</b></p> <ul style="list-style-type: none"> <li>• <b>Section 2 Achieving sustainable development</b> Para 8</li> <li>• <b>Section 8 Promoting healthy and safe communities</b> Paras 106-108</li> <li>• <b>Section 13 Protecting Green Belt land</b></li> </ul>	<p>Policy E3 designates Local Green Spaces. This policy supports the protection of local green spaces and designates these in accordance with NPPF requirements. The spaces designated will help protect and enhance the natural and built environment.</p> <p>A robust process was undertaken to designate the areas, following the NPPF, PPG and Locality guidance on</p>

FNP	NPPF (and PPG) Cross References	Comments
	<p><b>Green Infrastructure PPG</b>            Paragraph: 005 Reference ID: 8-005-20190721</p> <ul style="list-style-type: none"> <li>- <b>Local Green Space PPG</b>            paragraph: 006, 009, 013 to 017 Reference ID: 37-006-20140306, Para 009 Reference ID: 37-009-20140306, Para 013 Reference ID: 37-013-20140306</li> </ul>	understanding the types of greenspaces which would be suitable for recreational, natural, or historic reasons.
Policy E4: Dark Skies	<p>NPPF</p> <p><b>Section 15 Conserving and enhancing the natural environment</b> Para 198</p> <p><b>PPG Light Pollution</b> Para 001 Reference ID: 31-001-20191101, Para 005</p>	Policy E4 has regard to light pollution from developments. It conforms with the NPPF which sets out that policies should ensure new development limits the impact of light pollution within dark landscapes.
Policy E5: Landscape Character	<p>NPPF</p> <ul style="list-style-type: none"> <li>- <b>Section 3 Plan-making</b> Para 29</li> <li>- <b>Section 12 Achieving well-designed places</b> Para 131-135</li> <li>- <b>Section 15 Conserving and enhancing the natural environment</b> Para 187</li> </ul> <p>PPG Paragraph: 036 Reference ID: 8-036-20190721</p>	<p>Policy E5 expects developments to conserve and enhance the landscape character and reinforce local landscape characteristics adjacent to the Broads.</p> <p>The policy expects proposals to develop on lower quality or brownfield sites before using the best and most versatile agricultural land. The Broads emerging Local Plan Policy PUBSP3 states proposals shall protect the best and most versatile agricultural land.</p> <p>The policy sets out a number of important local views which have been identified in the parish. Proposals that would significantly harm these views will not be supported.</p> <p>In the NPPF and PPG the intrinsic character and beauty of the countryside is recognised and the PPG states that it is important to identify policies where landscapes have a particular local value. Planning policies and decisions should</p>

FNP	NPPF (and PPG) Cross References	Comments
		<p>ensure that developments will be sympathetic to the local character including the built environment and landscape setting.</p> <p>This policy conforms with the NPPF and PPG by protecting important local views and ensuring proposals are expected to demonstrate that they are designed and sited to avoid harm to the identified important views and the landscape setting they sit within.</p> <p>The NPPF also states in Para 187 that planning policies should contribute to and enhance the natural environment by recognising the benefits of the best and most versatile agricultural land. FNP understands this and wishes to protect this land in the parish unless no other alternative sites come available.</p>
Policy E6: Managing Surface Water	<p><b>NPPF</b> Para 8c</p> <ul style="list-style-type: none"> <li><b>Section 14 Meeting the challenge of climate change, flooding, and coastal change</b> Para 157, 158</li> </ul> <p><b>Climate Change</b> PPG Paragraph: 001 Reference ID: 6-001-20140306</p> <p><b>Flooding</b>- PPG Paragraph: 063 Reference ID: 7-063-20140306</p>	<p>Policy E6 states development proposals should seek to achieve the four pillars of sustainable drainage systems ensuring they are multi-functional and appropriate to the scale of the development. Further detail is given on maximising the use of permeable materials and SuDs linking to Filby's wildlife corridors.</p> <p>Policy E6 conforms with the NPPF Para 158 which states how plans should take a proactive approach to mitigate and adapt to climate change taking in account flood risk.</p>
Policy BE1: Heritage Assets	<p><b>NPPF</b> Para 8c</p> <ul style="list-style-type: none"> <li><b>Section 16 Conserving and enhancing the historic environment</b> Para 203</li> </ul> <p><b>Historic Environment</b></p>	<p>Policy BE1 sets out detail on heritage assets and identifies non-designated heritage assets within Filby.</p> <p>The policy conforms with the NPPF and PPG which sets out detail on conserving the historic character, appearance and</p>

FNP	NPPF (and PPG) Cross References	Comments
	<b>Designated Heritage Assets</b> PPG Paragraph: 023 Reference ID: 18a-023-20190723	setting of heritage assets and locally listed non-designated heritage assets.
Policy BE2: Filby Village Gap	<b>NPPF</b> <ul style="list-style-type: none"> <li><b>Section 12 Achieving well-designed places-</b> Para 135</li> </ul>	<p>Policy BE2 identifies an area which will be retained and protected from all types of built development that reduces the size of the gap, general openness, or rural character.</p> <p>The NPPF Para 135 states that “<i>planning policies and decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change</i>”.</p> <p>Protecting gaps between settlements is in general conformity with the NPPF since gaps can ensure that settlements remain separate, avoid coalescence, respect their previous historical growth and local character as being different built environments.</p>
Policy AT1: Sustainable Transport	<b>NPPF</b> <b>Section 9 Promoting sustainable transport</b> Para 109	<p>Policy AT1 states new developments will be expected to encourage and enhance sustainable travel choices, improve/or extend footways and opportunities should be taken to promote the use of public transport and avoid adding further recreational pressure or habitat deterioration near The Broads.</p> <p>It conforms with the local plan policies by supporting the need for sustainable transport/active travel opportunities and to integrate networks with safe and effective design to help boost new users to move away from the car and have safe access to local services.</p> <p>The NPPF Para 109 states how transport issues should be considered from the</p>

FNP	NPPF (and PPG) Cross References	Comments
		earliest stages of plan making so that for example 109e opportunities to promote walking, cycling and public transport use are identified and pursued. The policy conforms with the NPPF by setting out expectations to improve accessibility to walking and active travel links in the parish.
Policy AT2: Traffic and Speed	<b>NPPF</b> <b>Section 9 Promoting sustainable transport</b> Para 109	<p>Policy AT2 sets out that development should not be detrimental to highway safety and will be required to mitigate its own impacts. Traffic speed is addressed in this policy.</p> <p>The policy is in general conformity to the adopted and emerging local plans which ensure that development proposals will be assessed in terms of their impact on the highway network including safety and traffic capacity.</p> <p>The NPPF Para 109 states how transport issues should be considered from the earliest stages of plan making.</p>
Policy CFI1: Community Facilities	<b>NPPF</b> - <b>Section 8 Promoting healthy and safe communities</b> Para 96, 98	This policy protects community facilities within the parish. It conforms with the NPPF Para 98 which states that planning policies should guard against the unnecessary loss of valued facilities and services particularly where it would reduce the community's ability to meet its day-to-day needs.

## Section 4: Sustainable Development

14. A widely accepted definition of sustainable development is ‘development that meets the needs of the present without compromising the ability of future generations to meet their own need’<sup>1</sup>. It is about ensuring better quality of life for everyone, now and for generations to come. In doing so, social, environmental, and economic issues and challenges should be considered in an integrated and balanced way.
15. This is captured by Paragraph 8 of the NPPF in particular, which summarises the three interdependent objectives. The NPPF as a whole represents sustainable development, and **Figure 2** sets out that FNP is very consistent with the NPPF. It should therefore be the case that FNP will help to deliver sustainable development in Filby through delivering the economic, social, and environmental objectives.
16. FNP is positively prepared, reflecting the presumption in the NPPF in favour of sustainable development, but it seeks to manage development pressures to ensure that, in addition to economic and growth considerations, reasonable environmental and social considerations are taken into account.
17. The Filby Neighbourhood Plan Review therefore contributes positively to all three dimensions of sustainable development as defined in Paragraph 8 of the NPPF.

## Section 5: General Conformity with Local Strategic Policies

18. It is a requirement that FNP is in general conformity with the relevant local strategic policies. The Guidance on Neighbourhood Development Planning sets out what is meant by general conformity. When considering whether a policy is in general conformity, a qualifying body, independent examiner, or local planning authority, should consider the following:
  - Whether the Neighbourhood Development Plan policy or development proposal supports and upholds the general principle that the strategic policy is concerned with;
  - The degree, if any, of conflict between the draft Neighbourhood Development Plan policy or development proposal and the strategic policy;
  - Whether the draft Neighbourhood Development Plan policy provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy;
  - The rationale for the approach taken in the draft Neighbourhood Development Plan or Order and the evidence to justify that approach.

---

<sup>1</sup> United Nations: Report of the World Commission on Environment and Development: Our Common Future, March 1987

19. The FNP area is located within Great Yarmouth and the Broads Authority Executive Area. The local plans for this area contain the strategic and non-strategic policies of relevance for this Neighbourhood Development Plan, these are:
- The Great Yarmouth Local Plan Part 1 Core Strategy 2013-2030 (2015)
  - The Great Yarmouth Local Plan Part 2 (2021)
  - The Local Plan for the Broads 2015-2036 (2019)
20. The local authorities are working separately on preparing a review of their current local plans. The emerging Great Yarmouth Local Plan was submitted to the Secretary of State for examination on 24 February 2025. Examination hearings commenced in early October 2025. The Broads Local Plan Review reached the Regulation 19 consultation in July 2025.
21. **Figure 3** identifies how each policy in the Filby Neighbourhood Plan Review is in general conformity with the adopted and emerging Local Plans for Great Yarmouth Borough Council and the Broads Authority.

**Figure 3: General Conformity with Local Strategic & Non-Strategic Policies in the adopted and emerging Local Plans**

FNP	Great Yarmouth Local Plan (GYLP)	Broads Authority Local Plan (BALP)	Comments
Policy H1: Housing Type and Mix	<p>GYLP Core Strategy Part 1 (2015)</p> <ul style="list-style-type: none"> <li>- Policy CS2 Achieving sustainable growth</li> <li>- Policy CS3 Addressing the borough's housing need</li> <li>- Policy CS4 Delivering affordable housing</li> </ul> <p>GYLP Part 2 (2021)</p> <ul style="list-style-type: none"> <li>- Policy H1 Affordable housing tenure mix</li> <li>- Policy H2 Delivering affordable housing on phased or cumulative developments</li> </ul> <p>Emerging Local Plan:</p> <ul style="list-style-type: none"> <li>- Policy HOU1 Affordable Housing</li> <li>- Policy HOU2 Affordable Housing on phased or cumulative developments</li> <li>- Policy HOU4 Housing Mix</li> </ul>	<ul style="list-style-type: none"> <li>- SP15- residential development</li> <li>- DM47- Planning obligation and developer contributions</li> </ul> <p>Emerging Local Plan:</p> <ul style="list-style-type: none"> <li>- Policy PUBSP15 Residential Development</li> <li>- Policy PUBDM43 Affordable Housing</li> </ul>	<p>Policy H1 provides additional local detail that will help ensure housing development meets the needs of the community based on the proportionate evidence base produced for the Neighbourhood Plan in line with consultation with the community.</p> <p>This policy is in conformity with the local plan policies and addresses that development proposals must secure affordable housing in line with Local Plan requirements. Local plan policies require that the mix, type, and size of new housing should reflect the needs of the area, based on the most up to date needs assessment and to contribute to the requirements of different households.</p>
Policy H2: Design	<p>GYLP Core Strategy Part 1 (2015)</p> <ul style="list-style-type: none"> <li>- Policy CS3 Addressing the borough's housing need</li> <li>- Policy CS9 Encouraging well-designed, distinctive places</li> </ul> <p>GYLP Part 2 (2021)</p>	<ul style="list-style-type: none"> <li>- DM5- Development and flood risk</li> <li>- DM6- Surface water run off</li> <li>- DM8- Green infrastructure</li> <li>- DM13- Natural Environment</li> <li>- DM21- Amenity</li> <li>- DM43- Design</li> </ul>	<p>Policy H2 states all development must be designed to a high standard. Development should follow the guidance set out in the Filby Design Guidance and Codes Document (2024). This conforms with the strategic and some non-strategic policies of the adopted and emerging local plans which also require development to be of high-quality design. The emerging Local Plans also refer to their district design</p>

FNP	Great Yarmouth Local Plan (GYLP)	Broads Authority Local Plan (BALP)	Comments
	<ul style="list-style-type: none"> <li>- Policy A2 Housing design principles</li> <li>- Policy H3</li> <li>- Policy GSP6 Green Infrastructure</li> </ul> <p>Emerging Local Plan:</p> <ul style="list-style-type: none"> <li>- Policy DHE1 Design</li> </ul>	<ul style="list-style-type: none"> <li>- SP3- Climate Change</li> </ul> <p>Emerging Local Plan:</p> <ul style="list-style-type: none"> <li>- Policy PUBPS16 Strategic Design</li> <li>- Policy PUBDM52 Design</li> </ul>	<p>codes. The Filby design guide provides more specific local detail with respect to what good design looks like in the Filby area. This policy gives details on SuDS as does Policy E6 in the FNP and conforms with local plan policies which require flood mitigation measures to be incorporated into development proposals, and to appropriately contribute to the use of SuDS and protecting the area's natural resources.</p>
Policy E1: Biodiversity and Wildlife Corridors	<p>GYLP Core Strategy Part 1 (2015)</p> <ul style="list-style-type: none"> <li>- Policy CS11 Enhancing the natural environment</li> </ul> <p>GYLP Part 2 (2021)</p> <ul style="list-style-type: none"> <li>- Policy GSP6 Green Infrastructure</li> <li>- Policy E3 Protection of open spaces</li> <li>- Policy E4 Trees and landscape</li> </ul> <p>Emerging Local Plan:</p> <ul style="list-style-type: none"> <li>-Policy NAT1 Protecting biodiversity and geodiversity</li> <li>- Policy NAT3 Biodiversity Net Gain</li> <li>-Policy NAT6 Norfolk Coast National Landscape and the Broads</li> <li>-NAT7 Landscape Character</li> </ul>	<ul style="list-style-type: none"> <li>- SP6- Biodiversity</li> <li>- DM8- Green Infrastructure</li> <li>- DM13- Natural Environment</li> <li>- DM47- Planning obligation and developer contributions</li> </ul> <p>Emerging Local Plan:</p> <ul style="list-style-type: none"> <li>-Policy PUBDM15 Natural Environment</li> <li>Policy PUBDM16 Biodiversity Net Gain</li> </ul>	<p>Policy E1 conforms with policies in the adopted and emerging local plans by requiring the protection and enhancement of local biodiversity in Filby and supporting proposals which take actions to conserve and incorporate biodiversity features into developments.</p> <p>The policy also makes reference to proposals must first achieve biodiversity net gain requirements in line with local policy.</p>

FNP	Great Yarmouth Local Plan (GYLP)	Broads Authority Local Plan (BALP)	Comments
Policy E2: Trees and Hedgerows	<p>GYLP Core Strategy Part 1 (2015)</p> <ul style="list-style-type: none"> <li>- Policy CS11 Enhancing the natural environment</li> </ul> <p>GYLP Part 2 (2021) Policy E4 Trees and landscape</p> <p>Emerging Local Plan:</p> <ul style="list-style-type: none"> <li>- Policy NAT7 Landscape Character</li> <li>- Policy NAT10- Trees, Woodlands and Hedgerows (non-strategic)</li> </ul>	<ul style="list-style-type: none"> <li>- DM13- Natural Environment</li> </ul> <p>Emerging Local Plan:</p> <ul style="list-style-type: none"> <li>- Policy PUBDM15 Natural Environment</li> <li>- Policy PUBDM19 Trees, woodlands, hedges, scrub, shrubs and development</li> </ul>	Policy E2 sets out detail on how proposals must deal with existing trees and hedgerows. This policy is in general conformity with the adopted and emerging local plans which set out detail on development retaining trees and hedgerows and opportunities to enhance features.
Policy E3: Local Green Spaces	<p>GYLP Core Strategy Part 1 (2015)</p> <ul style="list-style-type: none"> <li>- Policy CS11 Enhancing the natural environment</li> </ul> <p>GYLP Part 2 (2021)</p> <ul style="list-style-type: none"> <li>- Policy GSP6</li> <li>- Policy E3 Protection of open spaces</li> </ul> <p>Emerging Local Plan:</p> <ul style="list-style-type: none"> <li>- Policy HEC3 (non-strategic) Protection of open spaces</li> </ul>	<ul style="list-style-type: none"> <li>- DM7- Open space on land, play space, sports fields, and allotments</li> <li>- DM8- Green Infrastructure</li> </ul> <p>Emerging Local Plan:</p> <ul style="list-style-type: none"> <li>- Policy PUBSSLGS Local green space</li> </ul>	Policy E3 designates Local Green Spaces. This is in conformity with the different adopted and emerging local plan policies which seek to protect environmental assets and existing green space provision. Neither local plans designate any local green spaces in Filby.
Policy E4: Dark Skies	<p>GYLP Core Strategy Part 1 (2015)</p> <ul style="list-style-type: none"> <li>- Policy CS11 Enhancing the natural environment</li> </ul> <p>GYLP Part 2 (2021)</p>	<ul style="list-style-type: none"> <li>- SP7- Landscape character</li> <li>- DM16- Development and landscape</li> </ul>	Policy E4 has regard to light pollution from developments. It conforms with the adopted and emerging local plans and references these in the policy. Policy E4 adds extra detail regarding lighting on how it is designed and to avoid its impact

FNP	Great Yarmouth Local Plan (GYLP)	Broads Authority Local Plan (BALP)	Comments
	<ul style="list-style-type: none"> <li>- Policy E4 Trees and landscape</li> <li>- Policy E6 Pollution and hazards in development</li> </ul> <p>Emerging Local Plan:</p> <ul style="list-style-type: none"> <li>- Policy NAT9 Dark Skies</li> </ul>	<ul style="list-style-type: none"> <li>- DM22- Light pollution and dark skies</li> </ul> <p>Emerging Local Plan:</p> <ul style="list-style-type: none"> <li>- Policy PUBDM28 Light pollution, dark skies and nocturnal character</li> </ul>	on the rural character and into sensitive wildlife areas.
Policy E5: Landscape Character	<p>GYLP Core Strategy Part 1 (2015)</p> <ul style="list-style-type: none"> <li>- Policy CS11 Enhancing the natural environment</li> </ul> <p>GYLP Part 2 (2021)</p> <ul style="list-style-type: none"> <li>- Policy E3 Protection of open spaces</li> <li>- Policy E4 Trees and landscape</li> </ul> <p>Emerging Local Plan:</p> <p>NAT7 Landscape Character</p>	<ul style="list-style-type: none"> <li>- SP7- Landscape character</li> <li>- DM16- Development and landscape</li> <li>- DM20- Protection and enhancement of settlement fringe landscape character</li> </ul> <p>Emerging Local Plan:</p> <ul style="list-style-type: none"> <li>- Policy PUBSP3 Soils</li> </ul>	<p>Policy E5 expects developments to conserve and enhance the landscape character and reinforce local landscape characteristics adjacent to the Broads.</p> <p>The policy expects proposals to develop on lower quality or brownfield sites before using the best and most versatile agricultural land. The Broads emerging Local Plan Policy PUBSP3 states proposals shall protect the best and most versatile agricultural land.</p> <p>The policy sets out a number of important local views which have been identified in the parish. Proposals that would significantly harm these views will not be supported.</p> <p>The policy conforms with the adopted and emerging local plans by protecting environmental assets and the landscape setting.</p>
Policy E6: Managing Surface Water	GYLP Core Strategy Part 1 (2015)	<ul style="list-style-type: none"> <li>-DM2 Water quality and foul drainage</li> <li>-SP2 Strategic flood risk policy</li> </ul>	Policy E6 states development proposals should seek to achieve the four pillars of sustainable drainage systems ensuring they

FNP	Great Yarmouth Local Plan (GYLP)	Broads Authority Local Plan (BALP)	Comments
	<ul style="list-style-type: none"> <li>- Policy CS13 Protecting areas at risk of flooding and coastal change</li> </ul> <p>GYLP Part 2 (2021) -Policy E1 Flood Risk</p> <p>Emerging Local Plan: -Policy CLC2 Flood Risk</p>	<p>-DM5 Development and flood risk DM6 Surface water run-off</p> <p>Emerging Local Plan:  <ul style="list-style-type: none"> <li>- Policy PUBSP2 Strategic flood risk</li> </ul> </p>	<p>are multi-functional and appropriate to the scale of the development. Further detail is given on maximising the use of permeable materials and SuDs linking to Filby's wildlife corridors.</p> <p>The policy is in general conformity with the adopted and emerging local plans which also have strategic policies on addressing flood risk and water management.</p>
Policy BE1: Heritage Assets	<p>GYLP Core Strategy Part 1 (2015)</p> <ul style="list-style-type: none"> <li>- Policy CS10 Safeguarding local heritage assets</li> </ul> <p>GYLP Part 2 (2021) Policy E5 Historic environment and heritage</p> <p>Emerging Local Plan:</p> <ul style="list-style-type: none"> <li>- Policy DHE2 Historic Environment</li> <li>- Policy DHE3 Non-designated heritage assets</li> </ul>	<ul style="list-style-type: none"> <li>- SP5- Historic Environment</li> <li>- DM11- Heritage Assets</li> <li>- DM12- Re-use of historic buildings</li> </ul> <p>Emerging Local Plan:</p> <ul style="list-style-type: none"> <li>- Policy PUBSP4 Historic Environment</li> <li>- Policy PUBDM13 Heritage Assets</li> </ul>	<p>Policy BE1 sets out detail on heritage assets and identifies non-designated heritage assets within Filby. The policy generally conforms with the strategic policies of the adopted and emerging local plans that wish to conserve and enhance the historic environment and wherever possible make positive contributions to the historic environment.</p> <p>Policy DHE3 in the emerging GYLP states the Council will support neighbourhood plans identifying non-designated heritage assets and should meet the criteria identified in Appendix 4 of the emerging GYLP. A similar assessment was conducted for the Filby NP Review in line with factors set out in Appendix 4 which follows detail set out in Historic England advice note.</p>
Policy BE2: Filby Village Gap	<p>GYLP Part 2 (2021)</p> <ul style="list-style-type: none"> <li>- Policy GSP1 Development Limits</li> </ul>	N/A	Policy BE2 identifies an area which will be retained and protected from all types of built

FNP	Great Yarmouth Local Plan (GYLP)	Broads Authority Local Plan (BALP)	Comments
	<p>Emerging Local Plan:</p> <p>Policy OSS3</p> <p>Development Limits</p>		<p>development that reduces the size of the gap, general openness, or rural character. The policy is in general conformity with the adopted and emerging GYLP since a development limits policy is in place to generally not support development outside of these drawn boundaries. The gap identified along the Main Road in Policy BE2 of the NP falls within the development limits area where development shouldn't take place.</p> <p>This Policy is not in the Broads Authority Executive Area.</p>
Policy AT1: Sustainable Transport	<p>GYLP Core Strategy Part 1 (2015)</p> <ul style="list-style-type: none"> <li>- Policy CS1 Focusing on a sustainable future</li> </ul> <p>Emerging Local Plan:</p> <ul style="list-style-type: none"> <li>-Policy SUT1 Sustainable transport</li> </ul>	<ul style="list-style-type: none"> <li>- SP8- Getting to and around the Broads</li> <li>- SP9- Recreational access around the Broads</li> </ul> <p>Emerging local plan:</p> <ul style="list-style-type: none"> <li>-Policy PUBSP8 Accessibility and Transport</li> <li>- Policy PUBDM29 Transport, highways and access</li> </ul>	<p>Policy AT1 states new developments will be expected to encourage and enhance sustainable travel choices, improve/or extend footways and opportunities should be taken to promote the use of public transport and avoid adding further recreational pressure or habitat deterioration near The Broads.</p> <p>It conforms with the local plan policies by supporting the need for sustainable transport/active travel opportunities and to integrate networks with safe and effective design to help boost new users to move away from the car and have safe access to local services.</p>
Policy AT2: Traffic and Speed	<p>GYLP Core Strategy Part 1 (2015)</p> <ul style="list-style-type: none"> <li>- Policy CS16 Improving accessibility and transport</li> </ul>	<ul style="list-style-type: none"> <li>- SP8- Getting to and around the Broads</li> </ul>	<p>Policy AT2 sets out that development should not be detrimental to highway safety and will be required to mitigate</p>

FNP	Great Yarmouth Local Plan (GYLP)	Broads Authority Local Plan (BALP)	Comments
	<p>GYLP Part 2 (2021)</p> <ul style="list-style-type: none"> <li>- Policy L1 New or expanded tourist facilities outside of Development Limits and holiday accommodation areas.</li> </ul> <p>Emerging Local Plan:</p> <ul style="list-style-type: none"> <li>- Policy TCL2- New tourist accommodation</li> <li>- Policy SUT1 Sustainable transport</li> </ul>	<p>Emerging Local Plan:</p> <ul style="list-style-type: none"> <li>- Policy PUBDM29 Transport, highways and access</li> </ul>	<p>its own impacts. Traffic speed is addressed in this policy.</p> <p>The policy is in general conformity to the adopted and emerging local plans which ensure that development proposals will be assessed in terms of their impact on the highway network including safety and traffic capacity.</p>
Policy CFI1: Community Facilities	<p>GYLP Core Strategy Part 1 (2015)</p> <ul style="list-style-type: none"> <li>- Policy CS15 Providing and protecting community assets and green infrastructure</li> </ul> <p>GYLP Part 2 (2021)</p> <ul style="list-style-type: none"> <li>- Policy C1 Community Facilities</li> </ul> <p>Emerging Local Plan:</p> <ul style="list-style-type: none"> <li>- Policy HEC4- Community Facilities</li> </ul>	<ul style="list-style-type: none"> <li>- DM26- Protecting general employment.</li> <li>- DM44: Visitor and community facilities and services.</li> </ul> <p>Emerging Local Plan:</p> <ul style="list-style-type: none"> <li>- Policy PUBDM32 Protecting general employment</li> <li>- Policy PUBDM58 Visitor and community facilities and services</li> </ul>	<p>Policy CFI1 conforms with the local plans by supporting proposals which assist with the delivery of new or enhanced facilities that benefit the community.</p>

## Section 6: EU Obligations

22. A Screening Opinion request was made to Great Yarmouth Borough Council in consultation with the Broads Authority as to whether Strategic Environmental Assessment and Appropriate Assessment (see **section 7**) were required. This was supported by a short report and assessment. In this the FNP was assessed in June 2025 for likely significant effects upon the environment in light of the plan characteristics, the effects and area characteristics, including the environmental areas listed under Schedule 2 Part 6 of the EA Regulations (2004). The assessment recommended that SEA and HRA appropriate assessment would not be required. This was supported by Great Yarmouth Borough Council (as the lead planning authority) in consultation with the Statutory Environmental Bodies (SEBs).
23. **Section 7** of this report considers the requirement for Appropriate Assessment.
24. FNP has regard to and is compatible with the fundamental rights and freedoms guaranteed under the European Convention on Human Rights, transposed into UK law by the Human Rights Act 1998. FNP is highly likely to be compatible because it has been prepared within the existing framework of statute, and national planning policy and guidance. In accordance with established processes, its preparation has included consultation with the local community.
25. In conclusion, the FNP does not breach and is compatible with EU Regulations including:
- Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment (often referred to as the Strategic Environmental Assessment (SEA) Directive);
  - Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment (often referred to as the Environmental Impact Assessment (EIA) Directive);
  - Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora and Directive 2009/147/EC on the conservation of wild birds (often referred to as the Habitats and Wild Birds Directives respectively). These aim to protect and improve Europe's most important habitats and species. They may be of relevance to both Neighbourhood Development Plans or Orders; and
  - Other European directives, such as the Waste Framework Directive (2008/98/EC), Air Quality Directive (2008/50/EC) or the Water Framework Directive (2000/60/EC) may apply to the particular circumstances of a draft Neighbourhood Development Plan or Order.

## Section 7: Prescribed Conditions

26. There is one prescribed condition for Neighbourhood Development Plans identified in Schedule 2 of the Neighbourhood Development Planning (General) Regulations 2012:

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

27. A Habitats Regulations Assessment (HRA) considers the implications of a plan or project for European wildlife sites, in terms of any possible harm to the habitats and species that form an interest feature of the European sites in close proximity to the proposed plan or project, which occur as a result of the plan or project being put in place, approved, or authorised. Where likely significant effects are identified, alternative options should be examined to avoid any potential damaging effects.
28. HRA is a step-by-step decision-making process. It can be broken down into four stages. Screening; Appropriate Assessment; Alternative solutions; imperative reasons of overriding public interest and compensatory measures.
29. A screening assessment was undertaken on FNP in June 2025 to determine whether it will have ‘likely significant effects’ upon internationally designated habitat sites. This was **screened out** as not having any likely significant effects in the Great Yarmouth Borough Council SEA Screening Opinion in September 2025.
30. It is therefore concluded that the Filby Neighbourhood Plan Review meets the prescribed Basic Conditions and can proceed to examination.