

South Lenches Neighbourhood Plan

2015 - 2041



Basic Conditions Statement

Contents

BASIC CONDITIONS STATEMENT

1.	INTRODUCTION.....	3
2.	SUPPORTING DOCUMENTS AND EVIDENCE.....	3
3.	KEY STATEMENTS.....	3
4.	CONFORMITY WITH NATIONAL PLANNING POLICY	5
1.	Introduction.....	5
2.	National Planning Policy Framework.....	5
5.	CONTRIBUTION TOWARDS SUSTAINABLE DEVELOPMENT	11
6.	RELATIONSHIP WITH THE DEVELOPMENT PLAN	13
7.	DOES NOT BREACH, AND IS COMPATIBLE WITH, EU OBLIGATIONS AND HUMAN RIGHTS REQUIREMENTS.....	16
8.	CONFORMITY WITH THE PRESCRIBED CONDITIONS AND OTHER MATTERS	16
9.	CONCLUSION.....	17

1. Introduction

This Basic Conditions Statement has been produced to accompany the South Lenches Neighbourhood Plan (referred to as 'the Plan') to its submission to the local planning authority, Wychavon District Council, under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (as amended) ('the Regulations').

Paragraph 8(2) of Schedule 4B to the 1990 Town & Country Planning Act (TCPA) requires that a Neighbourhood Plan (or order) will be considered to have met the seven basic conditions if:

- a) having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the order,
- b) having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order,
- c) having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order,
- d) the making of the order contributes to the achievement of sustainable development,
- e) the making of the order would not have the effect of preventing development from taking place which — (i) is proposed in the development plan for the area of the authority (or any part of that area), and (ii) if it took place, would provide housing (This replaces the former Basic Condition that the making of the order is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area)),
- f) the making of the order does not breach, and is otherwise compatible with, EU obligations, and
- g) prescribed conditions are met in relation to the order and prescribed matters have been complied with in connection with the proposal for the order.

Basic Conditions (b) and (c) relate to neighbourhood development orders therefore are not relevant to the consideration of whether the SOUTH LENCHES NEIGHBOURHOOD PLAN meets the basic conditions.

A further basic condition related to the new environmental assessment framework is commenced however, until such time as a completed framework for the implementation of Environmental Assessment Reports is in place, compliance with this basic condition cannot be assessed.

2. Supporting documents and evidence

The South Lenches Neighbourhood Plan is supported by a Consultation Statement and this Basic Conditions Statement.

3. Key statements

South Lenches Parish Council is a qualifying body and entitled to submit a Neighbourhood Plan for its own parish. The South Lenches Neighbourhood Plan expresses policies that relate to the development and use of land only within the neighbourhood area.

The neighbourhood area is contiguous with the parish boundary, as shown in the map on the following page.

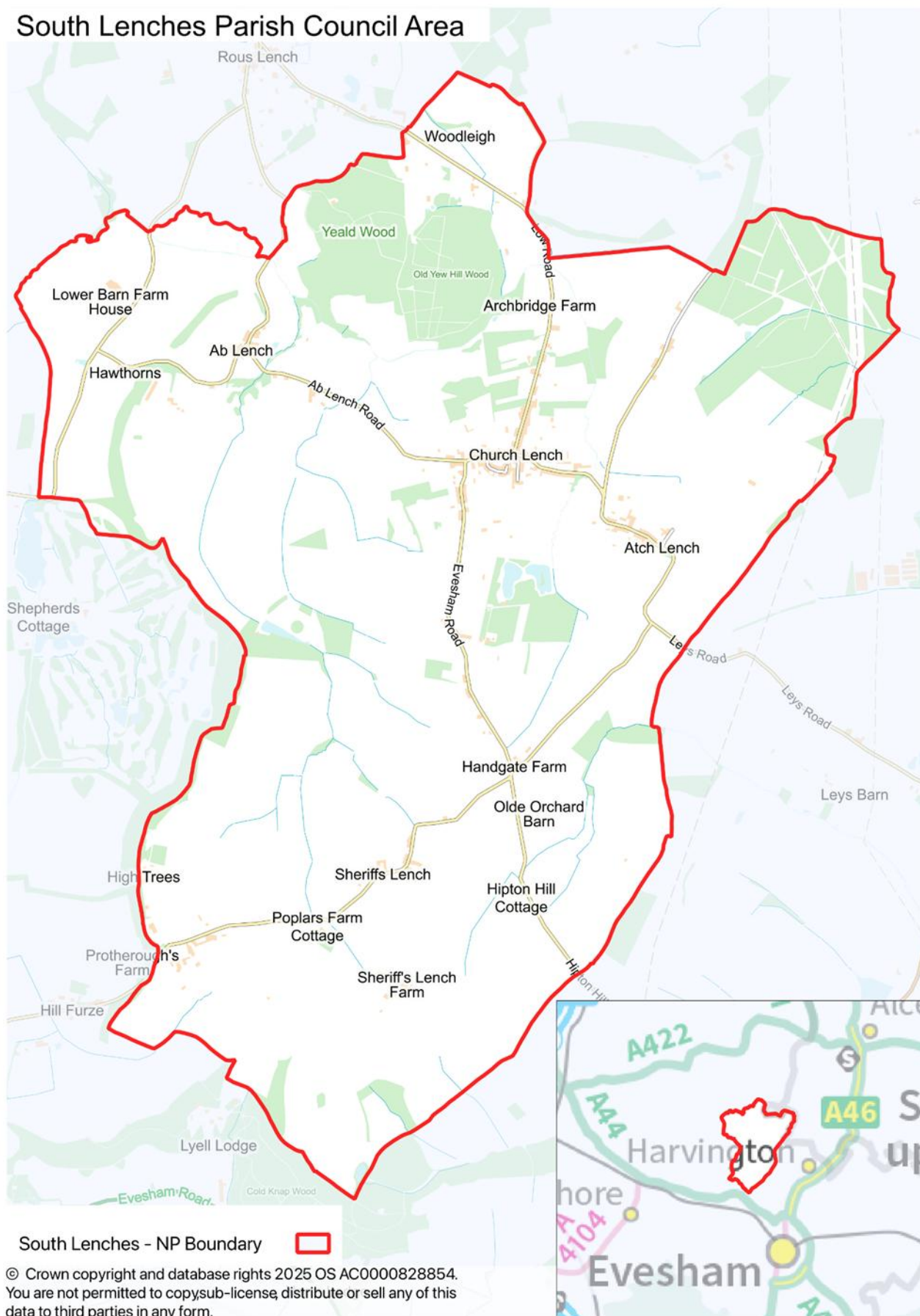
The South Lenches Neighbourhood Plan covers the period from 2015 to 2041.

No provision for excluded development such as national infrastructure is contained within the Neighbourhood Plan.

The South Lenches Neighbourhood Plan does not relate to more than one neighbourhood area. It is solely related to the area of South Lenches as designated by South Worcestershire District Council in September 2015 (see map) which is contiguous with the Parish Boundary.

There are no other Neighbourhood Development Plans in place for the South Lenches neighbourhood area.

South Lenches Parish Council Area



4. Conformity with national planning policy

1. *Introduction*

It is required that the South Lenches Neighbourhood Plan has appropriate regard to national planning policy and advice contained in guidance issued by the Secretary of State. National policy and guidance is contained within the National Planning Policy Framework (NPPF) and the Planning Practice Guidance (PPG). The current NPPF is the December 2024 version (minor corrections in February 2025). The Government published a new NPPF in December 2025 which has been consulted upon and is expected to come into force later in 2026, but at the time of writing, the relevant document is the December 2024 version.

2. *National Planning Policy Framework¹*

The NPPF in sections 29-31 and 38 refers to Neighbourhood Development Plans and seeks that those plans have regard to the policies in the NPPF and to be in 'general conformity' with the strategic policies of the Local Plan. This phrasing is explained more clearly by the Localism Act which refers to the 'adopted Development Plan'.

This section demonstrates that, of the 13 key objectives within the NPPF, the South Lenches Neighbourhood Plan has policies that meet 7 of these, specifically in relation to:

- Promoting healthy and safe communities
- Promoting sustainable transport
- Making effective use of land
- Achieving well-designed places
- Meeting the challenge of climate change, flooding and coastal change
- Conserving and enhancing the natural environment
- Conserving and enhancing the historic environment

The South Lenches Neighbourhood Plan has 14 principal objectives. We list them in table 2.1 below and which NPPF goals each objective seeks to address.

Table 2.2 then provides a summary of how each policy in the South Lenches Neighbourhood Plan conforms specifically to the NPPF.

¹ [National Planning Policy Framework December 2024](#)

Ref	Objective	NPPF Goal
1	Ensure development is in keeping with the local area and does not detract from the rural nature of its surroundings	▪ Achieving well-designed places ▪ Conserving and enhancing the natural environment
2	Ensure all new development includes an appropriate mix of housing in terms of design and affordability to meet the objectively assessed housing need findings	▪ Supporting sustainable rural housing growth ▪ Achieving well-designed places
3	Promote high levels of sustainability and energy efficiency, including renewable energy systems	▪ Conserving and enhancing the natural environment ▪ Meeting the challenge of climate change, flooding and coastal change
4	Ensure appropriate infrastructure is in place to deal with surface water and sewerage within any new development	▪ Promoting healthy and safe communities ▪ Meeting the challenge of climate change, flooding and coastal change
5	Preserve the historic environment and other heritage assets within the South Lenches	▪ Achieving well-designed places ▪ Conserving and enhancing the natural environment
6	Prevent coalescence between villages to maintain each village's own identity	▪ Achieving well-designed places ▪ Conserving and enhancing the natural environment
7	Protect woodland areas, wildlife sites, natural and historic conservation areas	▪ Conserving and enhancing the natural environment
8	To protect and enhance the villages open spaces and to conserve local green space	▪ Conserving and enhancing the natural environment ▪ Promoting healthy and safe communities
9	Use land efficiently to preserve high quality agricultural land	▪ Conserving and enhancing the natural environment ▪ Making effective use of land
10	Protect valued landscapes and views	▪ Conserving and enhancing the natural environment
11	Recognise and respect the limitations of small, rural roads in relation to development needs	▪ Promoting sustainable transport ▪ Promoting healthy and safe communities
12	Protect and maintain the dark skies between and within our villages	▪ Conserving and enhancing the historic environment
13	Increase activities, amenities, and facilities for residents of a scale commensurate with the surrounding area	▪ Building a strong competitive economy ▪ Promoting healthy and safe communities
14	Encourage increased access to the open countryside by maintaining and improving footpaths, especially between settlements	▪ Conserving and enhancing the natural environment ▪ Promoting healthy and safe communities ▪ Promoting sustainable transport

Table 2.2: Assessment of how each policy in the South Lenches Neighbourhood Plan conforms to the NPPF

No.	Policy title and reference	NPPF ref. (para.)	Commentary
1	South Lenches Development Boundaries	11, 20-21, 79, 83, 84	The policy supports infill development within settlement boundaries in line with the presumption in favour of sustainable development. The policy also provides for limited rural exception sites to meet local affordable housing need and restricts isolated new dwellings in the open countryside unless specific criteria apply,
2	Housing Growth, Infill and Design	63, 79-82, 83, 84, 3-105, 115, 131, 135,	The policy supports appropriate small-scale and limited affordable housing to meet identified local community needs, directing development to sustainable village locations. It ensures proposals protect highway safety and safeguards important open spaces and valued views and responds positively to local character in terms of height, scale, design, materials and layout. The policy also requires suitable access, parking and garden provision, and seeks to secure a balanced mix of housing, thereby contributing to the social, environmental and economic objectives of sustainable development.
3	Density of Development	131, 135,	The policy seeks to preserve the distinctive rural character of the villages by maintaining fragmented building patterns and important visual gaps between development. It promotes the use of soft boundary treatments and green transitions to reinforce the landscape setting, and requires driveways, access arrangements and parking areas to reflect the rural character of the area. The policy also seeks to avoid intrusive parking and ancillary buildings, ensuring that new development integrates sensitively into its surroundings and protects the established pattern and appearance of the settlements.
4	Affordable Housing Mix	61,63, 64, 65, 83,	The policy supports the delivery of affordable housing in accordance with the Local Plan and requires that proposals reflect identified local housing needs. It seeks to secure an appropriate mix of housing types and tenures based on up to date evidence and supports rural exception sites where they meet proven local need. The policy also requires affordable housing to be well integrated within developments and designed to be visually indistinguishable from market housing, ensuring that new provision contributes positively to the character and cohesion of the villages.

No.	Policy title and reference	NPPF ref. (para.)	Commentary
5	Market Housing Mix	61, 63, 69,	The policy seeks to ensure that new housing development provides an appropriate mix of bedrooms, reflecting identified local needs and contributes to new homes within the Plan area. It supports the delivery of smaller sites to maintain housing supply allowing for flexibility where viability is an issue, helping to ensure that development remains deliverable while continuing to meet local housing objectives.
6	Design Guide and Local Character	131-135, 139, 187,202,203,208,	The policy establishes clear local design expectations ensuring that new development responds positively to the character of the villages. It requires proposals which respect scale, massing, density and the established settlement pattern, incorporating appropriate landscaping and green infrastructure. The policy seeks to safeguard heritage assets and promotes biodiversity enhancement.
7	Protection of Historic Environment	202, 207-210	The policy seeks to conserve and enhance heritage assets within the Plan area, recognising their significance and the contribution they make to local character and distinctiveness. The policy also addresses non-designated heritage assets and archaeological remains, requiring appropriate assessment, protection and recording where necessary.
8	Small-scale Sustainable and Renewable Energy	8(c) 115, 117, 162, 162-168	The policy supports the delivery of small-scale renewable and low carbon energy schemes within the Plan area and encourages the integration of energy efficiency measures into new development. It promotes climate change mitigation through sustainable design and construction, including the provision of electric vehicle charging infrastructure where appropriate and aligns with wider strategic objectives to support the transition to a low carbon future.
9	High Quality Agricultural Land	187, 188 & footnote 65	The policy seeks to protect the best and most versatile agricultural land and safeguard soil quality and wider environmental resources within the Plan area. It ensures that development proposals recognise the value of high-quality farmland and avoid unnecessary harm to environmental assets. The policy operates within the overarching presumption in favour of sustainable development, requiring a balanced assessment that weighs economic, social and environmental considerations in decision-making.
10	Trees, Hedges and Woodland	131, 136, , 187, 192, 193	The policy seeks to retain existing trees, hedgerows and traditional orchards, recognising their importance to local character, landscape quality and biodiversity. It

No.	Policy title and reference	NPPF ref. (para.)	Commentary
			requires appropriate native replacement planting where loss is unavoidable and promotes biodiversity enhancement within new development. The policy also acknowledges the wider environmental and climate benefits of trees, including their contribution to carbon capture and resilience.
11	Wildlife and Biodiversity	131, 187, 192, 193	The policy seeks to secure biodiversity net gain and ensure the retention and enhancement of existing habitats within the Plan area. It promotes the avoidance of habitat fragmentation and supports the protection and strengthening of wildlife corridors and wider ecological networks. The policy encourages the integration of bat and bird features within new development and supports active travel links where these can be sensitively incorporated into green corridors.
12	Public Rights of Way	96, 103, 109, 103, 105-111, 117, 135,	The policy supports the improvement of footpath and cycle networks and promotes stronger connections between new development and existing routes. It seeks to protect and enhance Public Rights of Way and ensure that any impacts on established routes are appropriately mitigated. The policy also promotes active travel ensuring that access is safe, and suitable for all users.
13	Local Green Spaces	103, 104-108, 135, 187, 192, 193,	The policy provides for the designation and protection of Local Green Spaces, applying an approach to development consistent with national policy. It safeguards existing open space, sports and recreational land from unnecessary loss and ensures that ecological impacts are properly avoided, mitigated or compensated.
14	Valued Landscapes	103, 131, 135(c), 187(a)	The policy seeks to protect and enhance valued landscapes and distinctive views, ensuring that development remains sympathetic to local character and landscape setting. It requires careful consideration of scale, massing, topography and visual impact so that proposals do not result in harmful alteration of the landform or settlement context. Overall, the policy supports high quality design while safeguarding landscape character and visual amenity in accordance with national policy.
15	Flood Mitigation	171-173,	The policy requires the incorporation of sustainable drainage systems in new development and supports the application of the drainage hierarchy to manage surface water effectively. It seeks to ensure that proposals do not increase flood risk elsewhere and that appropriate long-term maintenance arrangements are in place. The policy

No.	Policy title and reference	NPPF ref. (para.)	Commentary
			promotes climate resilience in response to changing environmental conditions and expects proportionate drainage strategies to demonstrate that impacts have been properly assessed.
16	Dark Skies	187, 198	The policy seeks to limit light pollution and protect dark landscapes, ensuring that development does not harm local amenity or the character of rural areas. It supports the careful design and siting of lighting to safeguard biodiversity, including avoiding adverse impacts on wildlife and ecological networks. The policy requires appropriate mitigation measures in line with the mitigation hierarchy and encourages sensitive building lighting design that responds to its surroundings.
17	Community Facilities	88, 96, 98	The policy supports the continued viability and sustainability of local services and community facilities, recognising their importance to the social wellbeing and resilience of the area. It seeks to guard against the unnecessary loss of valued facilities and requires clear evidence, to demonstrate that retention is no longer feasible. The policy also supports the retention of rural services that meet day-to-day community needs promoting thriving, sustainable communities.
18	Business and Employment	88,89, 96	The policy supports the strengthening of the rural economy by enabling the sustainable growth and diversification of local businesses, including agricultural enterprises. It encourages the re-use of existing agricultural buildings where this would support economic activity and respect the character of the area and promotes local employment opportunities.
19	Camping and Caravan Sites	110, 135(f),	The policy supports sustainable rural tourism and leisure development that respects the character and landscape setting of the countryside. It promotes small-scale, sensitively designed proposals that protect valued landscapes while contributing to the rural economy.

5. Contribution towards sustainable development

The NPPF states in paragraph 11 that ‘at the heart of the Framework is a presumption in favour of sustainable development’.

Table 3.1 below summarises how the objectives and policies in the South Lenches Neighbourhood Plan contribute towards sustainable development, as defined in the NPPF.

Table 3.1: Assessment of South Lenches Neighbourhood Plan objectives and policies against sustainable development

Deliver Economic Sustainability		
<i>NPPF Definition – “to help build a strong, responsive and competitive economy”</i>		
South Lenches Neighbourhood Plan Objectives	Objective 4 Objective 13	Ensure appropriate infrastructure is in place to deal with surface water and sewerage within new development Increase activities, amenities and facilities for residents of a scale commensurate with the surrounding area
South Lenches Neighbourhood Plan Policies	Policy 17 Policy 18 Policy 5 Policy 4 Policy 17	Rural Economy & Employment Rural Tourism Housing Supply & Small Sites Affordable Housing & Housing Mix (supports workforce retention) Community Facilities (where supporting economic vitality of services)

Deliver Social Sustainability		
<i>NPPF Definition – “to support strong, vibrant and healthy communities”</i>		
South Lenches Neighbourhood Plan Objectives	Objective 2 Objective 6 Objective 11 Objective 13 Objective 14	Ensure new development includes an appropriate mix of housing, including affordability Prevent coalescence between villages to maintain individual identity Recognise and respect the limitations of small rural roads Increase activities, amenities and facilities Maintain and improve footpaths, especially between settlements
South Lenches Neighbourhood Plan Policies	Policy 1 Policy 2 Policy 3 Policy 4 Policy 5 Policy 12 Policy 13 Policy 17	Settlement Strategy & Development Boundaries Infill & Housing Criteria Settlement Character & Form Affordable Housing & Housing Mix Housing Supply & Small Sites Active Travel & Public Rights of Way Local Green Space & Open Space Protection Community Facilities

Deliver Environmental Sustainability		
<i>NPPF Definition – “to protect and enhance our natural, built and historic environment; and adapting to climate change”</i>		
South Lenches Neighbourhood Plan Objectives	Objective 1	Ensure development respects local character and rural nature
	Objective 3	Promote sustainability, energy efficiency and renewable energy
	Objective 4	Appropriate surface water and sewerage infrastructure
	Objective 5	Preserve the historic environment and heritage assets
	Objective 7	Protect woodland, wildlife sites and conservation areas
	Objective 8	Protect and enhance open spaces and Local Green Space
	Objective 9	Use land efficiently to preserve high quality agricultural land
	Objective 10	Protect valued landscapes and views
	Objective 12	Protect and maintain dark skies
South Lenches Neighbourhood Plan Policies	Policy 6	Design Expectations & Local Character
	Policy 7	Historic Environment & Heritage Assets
	Policy 8	Climate Change & Renewable Energy
	Policy 9	Agricultural Land & Soil Protection
	Policy 10	Trees, Hedgerows & Orchards
	Policy 11	Biodiversity & Ecological Networks
	Policy 13	Local Green Space & Open Space Protection
	Policy 14	Landscape & Valued Views
	Policy 15	Flood Risk & Drainage
	Policy 16	Lighting & Dark Skies

6. Relationship with the development plan

The development plan covering the Neighbourhood Plan Area currently consists of the following:

- South Worcestershire Development Plan Review (SWDPR)
- Worcestershire Minerals Local Plan (WMLP) 2018–2036 (adopted).
- Worcestershire Waste Core Strategy / Waste Local Plan (adopted).

The South Worcestershire Development Plan 2016 has now been superseded by the South Worcestershire Development Plan Review, which forms the strategic planning framework against which the South Lenches Neighbourhood Plan is examined.

Whilst the former Basic Condition that the neighbourhood plan be 'in general conformity with the strategic policies contained in the development plan for the area' has been replaced by the 'making of the neighbourhood development plan would not result in the development plan for the area of the authority proposing that less housing is provided by means of development taking place in that area than if the neighbourhood development plan were not to be made', it is nevertheless helpful to consider the relationship between the Neighbourhood Plan policies and the Local Plan policies for the Area. The policies of relevance are shown in Table 4.1 below, along with a consideration of whether they represent the strategic policies of the development plan. Where they do, consideration is made of whether the South Lenches Neighbourhood Plan is in general conformity with them.

Any policy that is not identified in Table 4.1 is not considered to be relevant to the South Lenches Neighbourhood Plan because the Neighbourhood Plan does not contain policies that directly relate to those matters.

The South Lenches Neighbourhood Plan has also been prepared with regard to the Worcestershire Minerals Local Plan and the Worcestershire Waste Core Strategy, both of which form part of the statutory Development Plan for the area.

The Neighbourhood Plan does not allocate large-scale development, nor does it promote development that would prejudice identified Mineral Safeguarding Areas, mineral resources, or strategic waste management infrastructure affecting South Lenches. The policies focus on locally distinctive, small-scale development, environmental protection and community facilities, and therefore do not conflict with the strategic minerals or waste planning framework. The Neighbourhood Plan is considered to be in general conformity with the South Worcestershire Development Plan Review, the Worcestershire Minerals Local Plan, and the Worcestershire Waste Core Strategy.

The Parish Council considers that the Neighbourhood Plan is in general conformity with the strategic policies of the Local Plan and the policies have been designed to add local context to the development plan policies of the area. In addition, new basic condition e is fulfilled because i) the making of the Neighbourhood Plan would not have the effect of preventing development from taking place which is proposed in the development plan for the neighbourhood area because the adopted South Worcestershire Development Plan Review does not include any development allocations in South Lenches and ii) the Neighbourhood Plan does not allocate housing but has policies which will guide housing to be sustainable and appropriate for the Parish.

Neighbourhood Plan Policy	Development Plan Policy	Commentary
South Lenches Development Boundaries	SWDPR 01 SWDPR 02, SWDPR 03, SWDPR 06	This policy builds upon the provisions of SWDPR 2 and SWDPR03 in relation to the development strategy and settlement hierarchy, in order to reinforce the importance of directing development to appropriate locations within defined settlement boundaries. Where relevant, it also reflects elements of SWDPR 01 and 06 in ensuring that development is sustainable and appropriate to its location, including in transport and environmental terms.
Housing Growth, Infill and Design	SWDPR 05, SWDPR 28	This policy builds upon the provisions of SWDPR 05 and SWDPR 28 in relation to sustainable development and high-quality design, to ensure that housing growth and infill development are appropriately integrated within the existing settlement and respect local character and amenity.
Density of Development	SWDPR 28	This policy builds upon the provisions of SWDP 28 in relation to design quality, requiring development to respond appropriately to local character, context, scale and density to ensure that proposals integrate successfully with their surroundings.
Affordable Housing Mix	SWDPR 19	This policy builds upon the provisions of SWDPR 19 in relation to affordable housing provision and housing mix, to support the delivery of affordable homes in accordance with district-wide viability requirements and identified local needs.
Market Housing Mix	SWDPR 17	This policy builds upon the provisions of SWDP 17 to ensure that new housing development responds to identified local needs and contributes towards the delivery of a balanced and sustainable community.
Design Guide and Local Character	SWDPR 05, SWDPR 28, SWDPR 34	This policy builds upon the provisions of SWDPR 28 and 34 to reinforce high standards of design, promote local distinctiveness and ensure that development contributes positively to place-making and the character of the area.
Protection of Historic Environment	SWDPR 33	This policy builds upon the provisions of SWDPR 33 to ensure the conservation of heritage assets and their settings, reinforcing the strategic approach to the protection and management of the historic environment.
Small scale sustainable and renewable energy	SWDPR 01, SWDP 05, SWDP 37	This policy builds upon the provisions of SWDPR 01, part of SWDPR05 (and SWDPR 37 where relevant) to support small-scale renewable and low carbon energy generation, subject to ensuring that impacts on landscape character and residential amenity are acceptable.
High Quality Agricultural Land	SWDPR 01, SWDPR 16	This policy builds upon the provisions of SWDPR 16 in order to protect the open countryside and natural resources, including best and most versatile agricultural land, consistent with the strategic approach to safeguarding rural character.
Trees, Hedges and Woodland	SWDPR 07, SWDPR 29	This policy builds upon the provisions of SWDPR 07 and 29 in order to protect trees, hedgerows and woodland as important components of green infrastructure, biodiversity and landscape character.

Neighbourhood Plan Policy	Development Plan Policy	Commentary
Wildlife and Biodiversity	SWDPR 01, SWDPR 07, SWDPR 29,SWDPR 30	This policy builds upon the provisions of SWDPR 01, 07, 29 and 30, to protect biodiversity assets and ecological networks and to secure measurable biodiversity enhancement consistent with the strategic environmental framework.
Public Rights of Way	SWDPR 11,	This policy builds upon the provisions of SWDPR 11, to promote sustainable movement and protect public rights of way consistent with the strategic approach to connectivity, accessibility and good design.
Local Green Spaces	SWDPR 11	This policy builds upon the provisions of SWDPR 11to protect locally significant open spaces and green infrastructure assets consistent with the strategic approach to environmental protection and community green space provision.
Valued Landscapes	SWDPR 34	This policy builds on the provisions of SWDPR 34 to protect landscape character and important views, consistent with the strategic approach to conserving and enhancing valued landscapes.
Flood Mitigation	SWDPR01, SWDPR 38, SWDPR 39	This policy builds upon the provisions of SWDPR01, SWDPR 38 & 39 to require sustainable drainage and appropriate flood risk management measures, consistent with the strategic approach to managing flood risk and surface water.
Dark Skies	SWDPR 11, SWDPR 28, SWDPR 35	There is no standalone lighting policy within the SWDPR; therefore, reliance on design and landscape character policies is appropriate. This policy builds upon the provisions of SWDPR 11, and where relevant SWDPR 28 and 35, to protect rural character and residential amenity through the careful control of external lighting and its impacts.
Community Facilities	SWDPR 47	This policy builds upon the provisions of SWDPR 47 to protect and support the retention and enhancement of community facilities, consistent with the strategic approach to maintaining sustainable and well-served communities.
Business and Employment	SWDPR 13, SWDPR 14, SWDPR 15	This policy builds upon the provisions of SWDPR 15, , in order to support rural enterprise and appropriate employment development consistent with the strategic economic development framework.
Camping and Caravan sites	SWDPR 45 SWDPR 46	This policy builds upon the provisions of SWDPR 45 and 46to support sustainable rural tourism development while ensuring that impacts on landscape character, residential amenity and environmental assets are appropriately managed.

7. Does not breach, and is compatible with, EU obligations and Human Rights requirements.

The Neighbourhood Development Plan has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act.

The Plan and the process under which it was made conforms to the SEA Directive (EU 2001/42/EC) and the Environmental Assessment of Plans and Programmes Regulations 2004 (the Regulations). In May and June 2023, a draft screening report was prepared by South Worcestershire District Council. This was consulted on with the statutory bodies (the Environment Agency, Natural England and Historic England) to assist in the determination of whether the South Lenches Neighbourhood Plan would have significant environmental effects in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004.

- In April 2025 South Lenches Parish Council approached Wychavon District Council to request a screening report on the draft Neighbourhood Plan.
- In April 2025 Wychavon District Council carried out an SEA Screening Opinion and in May 2025 confirmed they do not consider that an 'appropriate assessment' under Regulation 105 is required.

The various SEA screening documents, including the responses from the statutory bodies, has been submitted at Regulation 15 stage as part of the evidence base for the Plan.

8. Conformity with the prescribed conditions and other matters

Under Directive 92/43/EEC, also known as the Habitats Directive², it must be ascertained whether the draft Plan is likely to have significant effects on a European site designated for its nature conservation interest. The Directive is implemented by the Conservation of Habitats and Species Regulations 2010. Assessments under the regulations are known as Habitats Regulation Assessments ("HRA"). An Appropriate Assessment is required only if the Plan is likely to have significant effects on a European protected species or site. To ascertain whether it is necessary to undertake an assessment, a screening process is followed.

- In April 2025, South Lenches Parish Council approached Wychavon District Council to request a screening report on the draft Neighbourhood Plan.
- In May 2025 South Worcestershire District Council confirmed there are no likely significant effects on Habitats Sites associated with the Plan, and no further HRA assessment is required.

The various screening documents, including the responses from the statutory bodies, has been submitted at Regulation 15 stage as part of the evidence base for the Plan.

Sections 98 and 99 of the Levelling-up and Regeneration Act 2023 come into force on 25 March 2026 by virtue of the Levelling-up and Regeneration Act 2023 (Commencement No. 11 and Saving and Transitional Provisions) Regulations 2026, which were made on 2 March 2025. Sections 98 and 99 amend the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning Act 1990 in respect of the legal compliance and the basic conditions requirements. The further legal compliance requirements are as follows:

- so far as the qualifying body considers appropriate, and having regard to the subject matter of the plan, the plan must be designed to secure that the development and use of land in the neighbourhood area contribute to the mitigation of, and adaptation to, climate change; and

² [*Directive 92/43/EEC 'on the conservation of natural habitats and of wild fauna and flora'*](#)

- so far as the qualifying body considers appropriate and having regard to the subject matter of the plan, the plan must be designed to take account of any local nature recovery strategy under section 104 of the Environment Act 2021 that relates to all or part of the neighbourhood plan area.

The Neighbourhood Plan has been designed to secure that the development and use of land in the neighbourhood area contributes to the mitigation of, and adaptation to, climate change, particularly through the policies on Design Guide & Local Character (Policy 6), Small scale Sustainable and Renewable Energy (Policy 8) and Flood Mitigation (Policy 15).

The Neighbourhood Plan takes account of the Worcestershire Local Nature Recovery Strategy that relates in general terms to the Neighbourhood Area.

9. Conclusion

The Basic Conditions as set out in Schedule 4B to the TCPA 1990 are considered to be met by the South Lenches Neighbourhood Plan and all the policies therein. It is therefore respectfully suggested to the Examiner that the South Lenches Neighbourhood Plan complies with Paragraph 8(1)(a) of Schedule 4B of the Act.