

Factsheet 2:

Basic conditions

Neighbourhood plans need to meet the following Basic Conditions (legal requirements) which the independent examiner will assess your plan against:

- must be appropriate having regard to national policy;
- must contribute to the achievement of sustainable development;
- must be in general conformity with the strategic policies in the development plan of the local area;
- must be compatible with human rights requirements; and
- must be compatible with EU regulations.

Further background to these basic conditions is provided below. If you are concerned whether your draft plan is meeting these basic conditions we will be happy to review your draft and provide guidance where necessary. A number of neighbourhood plans have already gone through this process elsewhere in the country, as such we are also drawing on useful information from these examinations to advise neighbourhood forums preparing plans in Camden.

Regard to National Policy

A neighbourhood plan must have regard to the National Planning Policy Framework (NPPF) and associated guidance. This means that the content of the neighbourhood plan should not be of an opposing nature.

The National Planning Practice Guidance states that ‘regard to national policy’ means that a “neighbourhood plan or Order must not constrain the delivery of important national policy objectives”.

Examiners have quoted paragraph 17 of the [NPPF](#) in relation to content and structure of Neighbourhood Plans “Within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking” (12 core principles are listed).

Contribution to the achievement of sustainable development

All plan making should help contribute to sustainable development. Sustainable development encompasses three main elements – environmental, economic and social.

You will need to demonstrate how your neighbourhood plan contributes to improvements to these, or if there are likely potential adverse effects as a result of the plan there are measures in place that will reduce or offset these effects.

Some neighbourhood groups have demonstrated this through Sustainability Appraisal (SA) while other groups have used evidence provided in their Local Authorities SA and translated it to a local level in connection with the neighbourhood plan objectives and policies. [National Planning Practice Guidance](#) states that evidence should be presented on how the plan guides development to sustainable solutions.

Conformity with the strategic policies in the development plan of the local area

The NPPF paragraph 184 clearly states that neighbourhood plans should be in general conformity with the strategic policies of the Local Planning Authority and that neighbourhood plans should plan positively to support them.

Compatibility with EU & human rights regulations

The [Quick Guide to Neighbourhood Plans](#) states that Neighbourhood Plans must not breach and must be compatible with EU and human rights obligations, including the Strategic Environment Assessment (SEA) Directive.

Neighbourhood Plans should be screened at an early stage to ascertain whether they are likely to trigger significant environmental effects and thus whether an SEA needs to be carried out. Camden Council will undertake this screening assessment, consulting relevant national bodies in coming to its screening opinion.

Neighbourhood plan areas that are in close proximity of or, may lead to adverse effects on a wildlife site that has been designated under the EU Habitats Directive, may have to undertake a Habitats Regulation Assessment (HRA). This will ensure that they meet the requirements of the Directive and help to meet the basic condition to be in line with EU regulations. In London the following sites are recognised under the EU Habitats Directive: Epping Forest; Lee Valley; Richmond Park; and Wimbledon Common.

It is highly unlikely that such information would be required for any neighbourhood plans in Camden. However, if you are unsure we advise you to contact us.