

Hindon Neighbourhood Development Plan 2020 -2036

Basic Conditions Statement

January 2020



Contents List

INTRODUCTION	3
A1 OUTLINE.....	3
B LEGAL REQUIREMENTS	4
B1 QUALIFYING BODY	4
C BASIC CONDITIONS	5
C1 HAVE APPROPRIATE REGARD TO NATIONAL POLICY.....	5
C2 CONTRIBUTES TO THE ACHIEVEMENT OF SUSTAINABLE DEVELOPMENT.....	7
C4 BE COMPATIBLE WITH EU OBLIGATIONS.....	10
APPENDIX 1 MAP OF THE DESIGNATED NEIGHBOURHOOD AREA	11
APPENDIX 2 – SUSTAINABILITY ASSESSMENT MATRIX.....	12
APPENDIX 3: LINK TO DRAFT CONSULTATION STATEMENT - HINDON NEIGHBOURHOOD DEVELOPMENT PLAN (JUNE 2018 WWW.HINDONVILLAGE.ORG/NEIGHBOURHOODPLAN.HTM .).....	18
APPENDIX 4: LINK TO STRATEGIC ENVIRONMENTAL ASSESSMENT SCREENING OPINION (FEBRUARY 2018 WWW.HINDONVILLAGE.ORG/NEIGHBOURHOODPLAN.HTM)	18
ABBREVIATIONS	19

Tables

Table 1: Hindon NDP General Planning/Land Use Policies in relation to the NPPF.....	5
Table 2: Hindon NDP General Planning/Land Use Policies in relation to Strategic Local Policies.....	8
Table 3: Sustainability Assessment	13

Introduction

A1 Outline

- A1.1 This basic conditions statement demonstrates how the *Hindon Neighbourhood Development Plan* meets the basic conditions set out in paragraph 8 (2) of Schedule 4B to the *Town & Country Planning Act 1990* as applied to Neighbourhood Plans by section 38A of the *Planning & Compulsory Purchase Act 2004*¹.
- A1.2 The qualifying body (Hindon Parish Council) is required to produce this statement in line with regulation 15(1)(d) and regulation 22 (1)(e) of the *Neighbourhood Planning (General) Regulations 2012* (as amended).
- A1.3 This basic conditions statement has been prepared with regard to the following guidance/legislation:
- The *Locality Template Basic Conditions Statement*²
 - The Planning Aid Guide *Approaches to Writing a Basic Conditions Statements*³
 - The Planning Advisory Service's *Legal A Guide for Councils: Meeting your legal requirements for Neighbourhood Development Plans*⁴
 - The relevant extracts from the National Planning Practice Guidance⁵
 - The relevant Acts and Regulations which pertain to Neighbourhood Development Plans

¹ <http://planningguidance.planningportal.gov.uk/blog/guidance/neighbourhood-planning/the-basic-conditions-that-a-draft-neighbourhood-plan-or-order-must-meet-if-it-is-to-proceed-to-referendum/>

² <http://planning.communityknowledgehub.org.uk/resource/draft-template-basic-conditions-statement>

³ http://www.ourneighbourhoodplanning.org.uk/storage/resources/documents/Approaches_to_writing_a_basic_conditions_statement1.pdf

⁴ <http://www.pas.gov.uk/documents/332612/1099329/Legal+compliance+guide+NDP+March+2015.pdf/63e5106e-690e-4486-aed8-248a665c532b>

⁵ <http://planningguidance.planningportal.gov.uk/>

B Legal Requirements

This part of the basic conditions statement confirms that in the view of Hindon Parish Council, the Hindon Neighbourhood Development Plan (draft Reg 16 Version January 2020) meets the legal requirements for a Neighbourhood Plan.

B1 Qualifying Body

- B1.1 The Hindon Neighbourhood Development Plan will be submitted by Hindon Parish Council – who are the qualifying body.

B2 What is being proposed is a neighbourhood development plan

- B2.1 The Hindon Neighbourhood Development Plan relates to planning matters (the use and development of land) and has been prepared in accordance with the statutory requirements and processes set out in the *Town and Country Planning Act 1990* (as amended by the *Localism Act 2011*) and the *Neighbourhood Planning Regulations 2012*.

B3 The proposed neighbourhood plan states the period for which it is to have effect

- B3.1 The draft Hindon Neighbourhood Development Plan specifies the time period for which is to have effect as 2020-2036, on the cover.

B4 The proposed neighbourhood plan does not relate to more than one neighbourhood area and there are no other neighbourhood development plans in place within the neighbourhood area.

- B4.1 The neighbourhood plan proposal relates to the Hindon Neighbourhood Area and to no other area. There are no other neighbourhood plans relating to this neighbourhood area.
- B5.2 The Hindon Neighbourhood Area was designated on 5th November 2014, the Neighbourhood Area boundary is shown in **Appendix 1 to this statement** and within the Neighbourhood Plan. The Neighbourhood Area follows the Hindon Parish Council boundary.

C Basic Conditions

This part of the basic conditions statement confirms that in the view of Hindon Parish Council, the Hindon Neighbourhood Development Plan (draft Reg 16 Version January 2020) meets all of the basic conditions required for a Neighbourhood Plan.

The following statement will address each of the four 'basic conditions' required of the Regulations and explains how the Hindon Neighbourhood Plan meets the requirement of paragraph 8 of schedule 4B to the 1990 Town and Country Planning Act. 1.7 The Regulations state that a 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;
4. Is compatible with European Union (EU) and European Convention on Human Right (ECHR) obligations.

C1 Have appropriate regard to national policy

C1.1 The National Planning Policy Framework (NPPF)⁶ sets out the Planning Policies for England, together with the National Planning Practice Guidance (NPPG)⁷. **Table 1** below, briefly summarises how the national policies and guidance have been taken into account for each planning policy in the Hindon NDP. This approach follows the format employed in Planning Aid Guidance as good practice⁸.

Table 1: Hindon NDP General Planning/Land Use Policies in relation to the NPPF

Hindon Policy Ref	Planning Policy Title	Key NPPF Cross Ref	Commentary
Policy 1	Protection of and improved Community Facilities	NPPF Paras 28, 83d	Policy 1 specifically promotes "the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship." It is considered to be entirely in accordance with Paras 8 and 83 of the NPPF. Evidence: most of the sites incorporated in this policy were identified at a series of workshops and public meetings held in the village

⁶ <http://planningguidance.planningportal.gov.uk/blog/policy/>

⁷ <http://planningguidance.planningportal.gov.uk/blog/guidance/>

⁸ [http://community21.org/downloads/Arundel%20Neighbourhood%20Plan Basic%20Conditions%20Statement Nov%202013.pdf](http://community21.org/downloads/Arundel%20Neighbourhood%20Plan%20Basic%20Conditions%20Statement%20Nov%202013.pdf)

Hindon Policy Ref	Planning Policy Title	Key NPPF Cross Ref	Commentary
			between June 2015 and November 2018 ⁹ (see Consultation Statement for further details).
Policy 2	Green Infrastructure	NPPF Section 8 – para 91c	The NDP supports the establishment of a Green Infrastructure network to promote a healthy and safe community.
Policy 3	Allocation of land for mixed use development (housing and GP Surgery) Chicklade Road	NPPF Section 2 Achieving Sustainable Development, Section 8, Promoting healthy and safe communities, Section 15, Conserving & Enhancing the Natural Environment, Section 16 Conserving & Enhancing the Historic Environment	This allocation will help secure the future of the local GP surgery, make land available for a mixture of housing types and tenures capable of meeting the general and affordable housing needs of the village over the remaining plan period. Whilst it extends the current settlement edge of the village, it is considered to be an entirely sustainable location for development (see the Sustainability Appraisal at Appendix 2 for further details). There is no suitable land available within the existing village development boundary that could meet these identified needs. The entire village lies within the Cranborne Chase & West Wilts Downs AONB. The allocation of this site for mixed use development has to be considered in this context. Para 172 of the NPPF says that great weight should be given to enhancing landscape & scenic beauty in the AONB and that development should be subject to 3 criteria (discussed in the NP). This site has been allocated only after an extensive and detailed landscape & visual sensitivity & capacity assessment of all potential sites around the perimeter of the existing settlement boundary. Policy 3 includes details of mitigation required by a developer in terms of layout and landscape parameters in order to comply with para 172 of NPPF. Policy 3 of the NP includes a Development Brief for the site.
Policy 4	Allocation of land at Hillcrest Paddock & Hillcrest Triangle for mixed use development (up to 5 dwellings)	NPPF Section 2 Achieving Sustainable Development, Section 8, Promoting healthy and safe communities, Section 15, Conserving & Enhancing the Natural Environment, Section 16 Conserving & Enhancing the Historic Environment	This allocation is for the erection of 5 dwellings in total to serve residential needs.

Hindon Policy Ref	Planning Policy Title	Key NPPF Cross Ref	Commentary
Policy 5	Allocation of land at Redhouse Farm (1 dwelling)	NPPF Section 2 Achieving Sustainable Development, Section 8, Promoting healthy and safe communities, Section 15, Conserving & Enhancing the Natural Environment, Section 16 Conserving & Enhancing the Historic Environment	This allocation is for the erection of 1 family dwelling to serve residential needs.

C2 Contributes to the achievement of sustainable development

C2.1 The key ways that the Hindon Neighbourhood Plan will help contribute to meeting the objectives of sustainable Development are detailed below:

- The Neighbourhood Plan contains policies which relate to the environmental, social and economic aspects of the Parish. (Policies: All)
- The Neighbourhood Plan seeks to set out a coherent local strategy for the development of Hindon – considering housing, employment, recreation, community facilities and historic and environment aspects. (Policies: 1, 2, 3)
- The Neighbourhood Plan supports the protection and enhancement of environmental and historic assets. (Policies: 1, 2, 3)
- The Neighbourhood Plan supports the protection and enhancement of local facilities and infrastructure. (Policies: 1, 2)
- The Neighbourhood Plan is positive and proactive. It seeks to maintain and enhance a thriving sustainable village community, (Policies: 1, 2, 3)

C2.2 The above approach follows the format referenced in Planning Aid Good Practice Guidance.

C2.3 In addition, a Sustainability Appraisal matrix has been completed to assess the emerging NDP policies by the NDP Steering Group, This assessment is included as Appendix 2 of this report.

C3 Be in general conformity with strategic local policy, see Table 2 below

C3.1 The Local Policy which applies to the Hindon Neighbourhood Plan Area can be found in the following key policy documents:

- Wiltshire Core Strategy adopted 2015
- Emerging Wiltshire Site Allocations Development Plan Document 2019

C3.2 As the Local Plan is strategic in nature, general conformity will be considered against this.

C3.3 The qualifying body considers that the Neighbourhood Plan is in general conformity with the adopted Wiltshire Council Core Strategy 2015. This is outlined in more detail in **Table 2**

Table 2: Hindon NDP General Planning/Land Use Policies in relation to Strategic Local Policies

Hindon Policy Ref	Planning Policy Title	Wilts Core Strategy Policies Cross Ref	Hindon Plan Commentary
Policy 3	Character & Design	Core Policy 57 Ensuring High Quality Design	This policy refers to the local Character & Distinctiveness in the Hindon VDS ⁹ (Village Design Statement) and the Hindon Conservation Area Appraisal & Management Plan ¹⁰ . The NP is also informed by the Heritage Assessment of Sites ¹¹
Policy 3	Key Views and Landscape	Core Policy 51 Landscape	Core Policy 51 states that the principal pressure on the landscape arising from new development is the erosion of the separate identity, character of settlements and their settings. The NDP policy supplements and supports Local Plan policies on landscape setting, identifies key views which should be maintained and protected and cross referencing new local evidence in the form of an extensive and detailed Landscape & Visual Sensitivity & Capacity Assessment carried out early in 2019 which assessed all sites around the perimeter of the existing settlement.
Policy 3	Housing Development	Core Policy 1 Settlement Strategy. Core Policy 27 -Spatial Strategy for the Tisbury Community Area	A settlement boundary is already in place for Hindon currently being updated by the Housing Site Allocations DPD. Hindon HNP Steering Group have accepted Wiltshire's proposed amendments. Contribution to the Tisbury Community Area-Housing Allocation will be one allocated site outside of the Settlement Boundary. The settlement boundaries included in the Hindon NDP, are consistent with the proposed settlement boundary amendments proposed within the Wiltshire Housing Site Allocations DPD. The NDP includes an allocated site. The settlement boundary around the allocated site will be confirmed following the built form of the final scheme in line with good practice and the methodology preferred by Wiltshire Council.

⁹ Hindon Village Design Statement -2008 (reviewed by WC officers & confirmed Jan 2015)

¹⁰ Hindon Conservation Area and Management Plan Salisbury District Council 2009

¹¹ Hindon NPHeritage Assessment of Sites- April 2018 - www.hindonvillage.org/neighbourhoodplan.htm

Hindon Policy Ref	Planning Policy Title	Wilts Core Strategy Policies Cross Ref	Hindon Plan Commentary
Policy 3	Development Sites Chicklade Road, Hillcrest Paddock, Hillcrest Triangle and Redhouse Farm.	Core Policy 27	The NDP supports the delivery of Wiltshire's housing requirement for the Tisbury Community area, contributing approx 30-35 new dwellings on one site (40% of which must be affordable) in line with Wiltshire's core policy and two further small allocations of 6 dwellings towards this target.
Policy 2	Green Infrastructure	Core Policy 52 Green Infrastructure.	The plan in Policy 2 proposes the establishment of a Hindon Green Infrastructure Network connecting green spaces around and across the village.
Policy 2	Local Green Space Designation	Not covered in Wilts Core Strategy so national policy applies	The NDP local green space designations reflect the national criteria, and have been developed with this evidence based approach and in consultation with local residents.
Policy 3	Sustainability and Climate Change	Core Policy 41	The NDP reflects Wiltshire's policies on encouraging sustainable construction, renewable energy and the provision of sustainable drainage.
Policy 1	Community Facilities	Core Policy 49	The plan policies supports new and provides protection of existing local community facilities.
Policy 1	Safeguarding Employment	Core Policy 35	The plan supports the retention of local business and supports business development.
Policy 1	Encourage Start up and New Businesses	Core Policy 2	The plan supports local business development

C4 Be compatible with EU obligations

C4.1 The Neighbourhood Plan is compatible with EU obligations around human rights, habitat protection and environmental impacts. Specifically:

- i. Where local green space designations, and development locations are proposed consultation and notification of inclusion in the NDP has occurred with the landowners concerned. In addition others who are affected by the proposals have been adequately consulted and have had the opportunity to comment on the proposals. The details of the consultation on the Plan are outlined in the Draft Consultation Statement¹²,
- ii. The Hindon Neighbourhood Development Plan Steering group has prepared an evidence base which includes well documented evidence to underpin the policy approach.
- iii. Wiltshire Council, in line with the requirements of the European Directive 2001/42/EC, has an obligation to determine whether the Plan is likely to have significant environmental effects. To this end Wiltshire Council prepared a Strategic Environmental Assessment Screening Opinion in January, February 2018, which confirmed that an (SEA) is required.¹³. A link to the Strategic Environmental Assessment Screening Opinion is at Appendix 4.
- iv. A full Strategic Environment Assessment has been completed and is available on the Hindon Village Website at <https://hindonvillage.org/neighbourhoodplan.htm>
- v. Wiltshire Council to meet the requirements of Section 105 of the Habitats Regulations 2017 have carried out a Habitats Regulation Assessment (HRA)¹⁴. A copy of this can be viewed on the Hindon Village Website at <https://hindonvillage.org/neighbourhood-plan.htm>

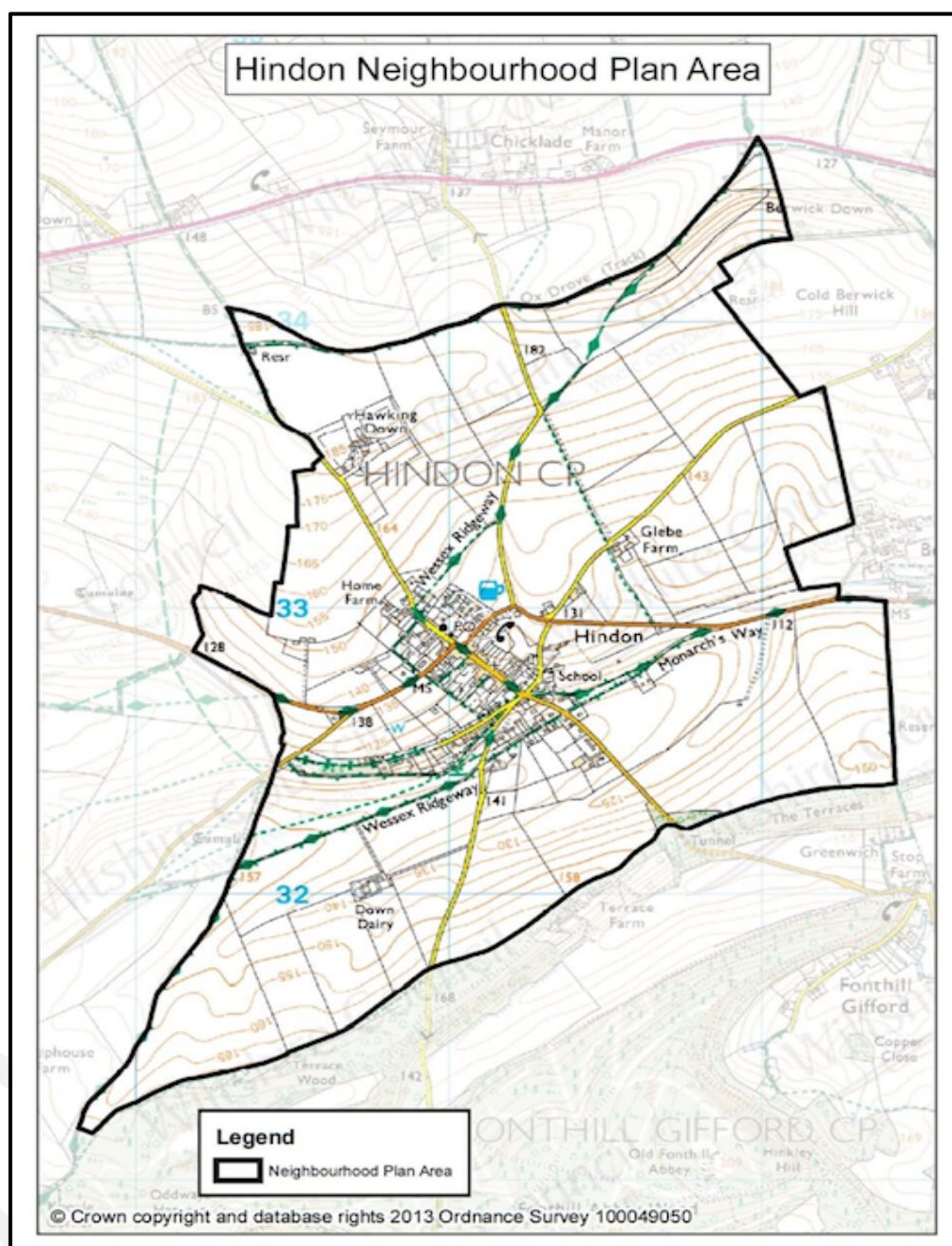
¹² Hindon Draft Consultation Statement - www.hindonvillage.org/neighbourhoodplan.htm

¹³ SEA Screening Decision can be found at: www.hindonvillage.org/neighbourhoodplan.htm

¹⁴ HRA -Wilts Council 7/8/18 -: www.hindonvillage.org/neighbourhoodplan.htm

APPENDIX 1 Map of the Designated Neighbourhood Area

Map of the Designated Neighbourhood Plan Area



APPENDIX 2 – Sustainability Assessment Matrix

Assessment of the contribution of the Hindon Neighbourhood Development Plan to the achievement of sustainable development.

Hindon Neighbourhood Development Plan

2020 – 2036

Introduction:

Contributing to the achievement of sustainable development is a basic condition neighbourhood development plans must meet if they are to proceed to a referendum.

In order to demonstrate that a draft neighbourhood plan contributes to sustainable development, sufficient and proportionate evidence should be presented on how the draft neighbourhood plan guides development to sustainable solutions.

There is no legal requirement for a neighbourhood plan to have a sustainability appraisal. However, one of the key aims of the Hindon Neighbourhood Plan is to contribute to the environmental, social and economic sustainability of Hindon.

The table below demonstrates how the policies in the Hindon Neighbourhood Plan contributes to the sustainability objectives set out by the Sustainability Appraisal of the adopted Wiltshire Core Strategy..

Table 3: Sustainability Assessment

Topic	Wiltshire Sustainability Objectives	Hindon NDP Response	Type of impact Positive/neutral/negative
Biodiversity	Protect & enhance all biodiversity & geological features & avoid irreversible losses.	The SAC site at Chilmark Quarries is some 4000 metres from the allocated development site. As part of the emerging Plan a Bat Survey was carried out in 2015 ¹⁵ and a Ecology Appraisal ¹⁶ in April 2018, and updated in August 2019 ¹⁷ . The outcome from these survey reports informs the NP Steering Group and developers of the mitigating strategies required to avoid harm to the AONB.	Positive
Air Quality & Environmental Pollution	Improve air quality throughout Wiltshire and minimise all sources of environmental pollution.	The Hindon NP identifies the risk of light pollution from any new development and says that any new development must adopt a Dark Skies policy of the Cranborne Chase AONB. The Plan also identifies the additional Traffic particularly on the B3089 as a risk, which however is outside the remit of the Hindon NP	Positive
Climatic factors	Minimise our impacts on climate change and reduce our vulnerability to future climate change effects.	This is addressed in the Hindon NP. The Plan states that developments should provide sustainable drainage and provide designs that conserve energy.	Positive

¹⁵ BAT Survey www.hindonvillage.org/neighbourhoodplan.htm

¹⁶ Ecology Survey www.hindonvillage.org/neighbourhoodplan.htm

¹⁷ BAT Survey Update August 2019 - www.hindonvillage.org/neighbourhoodplan.htm

Topic	Wiltshire Sustainability Objectives	Hindon NDP Response	Type of impact Positive/neutral/negative
Healthy Communities	Provide a safe and healthy environment in which to live.	The NP proposes the establishment of a Green Infrastructure Network connecting green spaces around and across the village. Policy 3 includes the provision of an accessible and improved GP Surgery as part of a mixed use development. Policy 2 Green Infrastructure	Positive
Economy & Enterprise	Encourage a vibrant and diversified economy and provide for long-term sustainable economic growth.	There are few businesses within Hindon Village, but greatly valued. The NP supports any expansion ambitions. These aspirations are reflected appropriately in para's 34, 35, 36 of the Wiltshire Core Strategy so no need to elaborate further in the NP	Positive

Topic	Wiltshire Sustainability Objectives	NDP Response	Type of impact Positive/neutral/negative
Population & Housing	Provide everyone with the opportunity to live in good quality, affordable housing, and ensure an appropriate mix of dwelling sizes, types and tenures.	Policy 3 Mixed use development on land at Chicklade Rd proposes that 40% of the housing is affordable and that there is a mix of types of dwellings and tenures.	Positive
Landscapes	Protect and enhance the character and quality of Wiltshire's rural and urban landscapes, maintaining and strengthening local distinctiveness and sense of place.	Policies 3 promotes the distinctiveness and Character of Hindon's conservation area and its landscape setting in the Cranborne Chase & West Wilts AONB through the commissioning of a Landscape Visual Sensitivity & Capacity Assessment, that carefully considers if, and to what extent and where, development may take place.	Positive
Land & Soil Resources	Ensure efficient and effective use of land and the use of suitably located previously developed land and buildings. Promote sustainable waste management solutions that encourage the reduction, reuse and recycling of waste	The settlement boundary around Hindon Village is so tight that any development has to be outside the existing settlement. The NP Steering Group has commissioned a Landscape Visual Sensitivity and Capacity Assessment survey, and also a site Options Appraisal. Both of these surveys were carried out by independent organisations. Ecology Assessments were also carried out to ensure that no harm is done to the landscape as a result of the development.	Neutral

Transport	Reduce the need to travel and promote more sustainable transport choices.	The Plan does not have a specific Policy on Transport which is outside the remit of this NP but is covered at the strategic level by the Wilshire Local Transport Plan. Footpaths are included in policy 2 Green Infrastructure, as community assets, and improved routes proposed to link development into the village centre.	Positive
Historic Environment	Protect, maintain and enhance the historic environment and archaeological assets	The Plan refers to the Hindon Village Design Statement, the Hindon Conservation area Appraisal and a Heritage Report ¹⁸ covers this objective	Positive
Water Resources & Flood Risk	Use and manage water resources in a sustainable manner Protect people and property from the risk of flooding	The Plan Permits new development only where sustainable drainage is possible to minimise the impact on the existing drainage regime. Flood Risk in Hindon is very low. There are areas where surface water run off after heavy rain is a problem. The Plan seeks to ensure that this is managed so that the development causes no negative impact	Positive Neutral

¹⁸ Hindon Heritage Report www.hindonvillage.org/neighbourhoodplan.htm

Education & Skills	Raise educational attainment levels across the authority and provide opportunities for people to improve their workplace skills.	Raising educational levels is outside of the scope of the Hindon NP: However the Plan will support Community Enterprises and supports the local economy. There is potential for the Primary School to be supported by the new housing development.	Positive
Inclusive Communities	Reduce poverty and deprivation and promote more inclusive and self-contained communities.	The Plan promotes community involvement through the Policies 1 Protection of Community Facilities and Policy 2 Green Infrastructure.	Positive

Appendix 3: Link to Draft Consultation Statement - Hindon Neighbourhood Development Plan (Sept 2015 to 2019 www.hindonvillage.org/neighbourhood-plan.htm.)

Appendix 4: Link to Strategic Environmental Assessment Screening Opinion (February 2018 www.hindonvillage.org/neighbourhoodplan.htm)

Appendix 5: Link to Strategic Environmental Assessment - January 2020 (www.hindonvillage.org/neighbourhoodplan.htm)

Abbreviations

Acronym	Description
AONB	Cranborne Chase and West Wilts 'Area of Outstanding Natural Beauty'
NPPF	National Planning Policy Framework 2012 (A framework for planning policies in England)
NPPG	National Planning Practice Guidance
SAC	Special Areas of Conservation – strictly protected sites under the EU Habitats Directive. Natural England for WC 2015
SEA	Strategic Environmental Assessment –SEA Directive 2001/42/EC - the process by which environmental considerations are required to be fully integrated into the preparation of the (Neighbourhood) Plan.
HRA	Habitat Regulation Assessment – Conservation of Habitats and Species Regulations 2010 -
Neighbourhood Planning	Neighbourhood Planning (General) Regulations April 2012
Core Strategy	Wiltshire Core Strategy adopted 2015
Hindon Conservation Area Plan	Conservation Area Appraisal and Management Plan -Salisbury District Council 2009 (Forum Heritage Services)
VDS	Village Design Statement 2008 – updated in 2015 Hindon Parish Council
Planning Practice Guidance	Guidance for the National Planning Policy Framework
CA	Tisbury Community (Area Housing Allocations Plan – Wiltshire Core Strategy 27)
HNP	Hindon Neighbourhood Development Plan
NP	Hindon Neighbourhood Development Plan
DPD	Draft Planning Document – Wiltshire Council.