

Basic Conditions Statement

Hindon Neighbourhood

Development Plan 2018-2031

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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 14 Version) 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 2018-2031, 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 14 Version) meets all of the basic conditions required for a Neighbourhood Plan.

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. **The non land-use policies included in the NDP (referred to as Projects throughout the plan) have not been assessed.**

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
CD1	Character and Design	Para 58; 59, 125	The plan policies promote the distinctive character of Hindon. The design policy reflects the principles of the NPPF and are not overly prescriptive but identify opportunity areas.
CD1 DS1	Housing Quality	Para 56-58	The NDP reinforces the principles of high quality and inclusive design identified in the NPPF.
LS1	Key Views and Landscape	Para 58, Para 115, 116 & Para 125	The plan provides a policy framework which protects the distinctive qualities of place including landscape character and the Cranborne Chase & West Wilts Area of Outstanding Natural Beauty designation. The site selection & allocation has been informed by landscape evidence ref Policy DS1. para 125 is 'dark skies' policy

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

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

⁸ [http://community21.org/downloads/Arundel%20Neighbourhood%20Plan_Basic%20Conditions%20State-ment_Nov%202013.pdf](http://community21.org/downloads/Arundel%20Neighbourhood%20Plan_Basic%20Conditions%20Statement_Nov%202013.pdf)

SB1	Settlement Boundary	Para 53	The NDP includes a settlement boundary, 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 confirmed by Wiltshire LPA.
DS1	Car Parking including for relocated Surgery as part of mixed use site allocation	Para 39,7 Para 115, 116	The NDP complies with the car parking standards set out in the Wiltshire local transport plan 2011-2026 – Car Parking Strategy in line with paragraph 39 of the NPPF.
DS1	Housing Development _ Mixed use site allocation	Para 16, Paras 115,116	The NDP supports the Tisbury Community area Housing Allocations -Wiltshire Core Strategy 27 as required by the NPPF para 16. Consideration of heritage, landscape and ecology in site selection & development criteria for policy DS1 to provide housing in the village as required by Wiltshire Core Strategy. Improved social infrastructure in the form of an accessible replacement GP Surgery is also proposed in line with national policy for health infrastructure. In terms of landscape the NPPT AONB policy paras 115,116 has also been considered. 1.The need for development within the Tisbury community area (entirely within the ANOB) was established in the Wiltshire Core Strategy (Core Strategy 27). This requirement is essential to Wiltshire meeting national housing requirements, failure to deliver additional housing would result in no new market or affordable housing being delivered in the village. 2. Other option locations including infill sites, and alternative sites have been considered and rejected as part of the process of preparing the NDP. 3.Environmental impacts of the proposed site have been carefully considered, with specific Historical Environment, Landscape and Ecology evidence being prepared to inform site selection and allocation. Harm is being avoided and minimised and opportunities for an improved edge to the village are being taken. In addition, recreation opportunities are proposed to be improved footpaths, and publicly accessible green infrastructure and play areas being provided. The provision of a relocated GP Surgery, which will be in a more accessible building is also seen as in the public interest.

PA1	Pre -Application Consultation	Para 118 - 195	The NDP includes a local pre-application consultation policy in line with national policy.
GI1 LGS1	Green Infrastructure	Para 99; 114;	The NDP plans for Green Infrastructure in accordance with national guidelines which encourage plan-making to consider this, planning for ecological and green networks.
LGS1	Local Green Space Designation	Para 77-79; NPG advice	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.
SC1	Sustainability and Climate Change	Paras 17, 93, 97, & 100	The NDP supports the delivery of renewable energy and sustainable drainage systems to address surface water flooding in particular.
CA1	Community Facilities	Para 58	The plan policies support and identify local community facilities.
Para 6.10	Safeguarding Employment Sites	Para 28	The plan supports the retention of local business and supports business development.
Para 6.10	Encourage Start up and New Businesses	Para 28	The plan supports local business development

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. (Policy: DS1, GI1, LGS1, CA1)
- The Neighbourhood Plan supports the protection and enhancement of environmental and historic assets. (Policies: CD1, GI1, LGS, LS1, DS1,)
- The Neighbourhood Plan supports the protection and enhancement of local facilities and infrastructure. (Policies: SC1, CA1, DS1)
- The Neighbourhood Plan is positive and proactive. It seeks to maintain and enhance a thriving sustainable village community, . (Policies: SC1, CD1, SB1, LS1, CD1)

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 2018

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** below.

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
CD1	Character & Design	Core Policy 57 Ensuring High Quality Design	This policy refers to the local Character & Distinctiveness in the Hindon VDS ⁹ and the Hindon Conservation Area Appraisal & Management Plan ¹⁰ . The NP is also informed by the Heritage Assessment of Sites ¹¹
LS1	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 a Landscape Character Assessment.
SB1 DS1	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 CA 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 a settlement boundary, 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 confirmed by Wiltshire LPA

⁹ Hindon Village Design Statement -2008

¹⁰ Hindon Conservation Area and Management Plan Salisbury District Council 2009

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

DS1	Development Site	Core Policy 27	The NDP supports the delivery of Wiltshire's housing requirement for the Tisbury Community area, contributing approx 30-35 new homes towards this target. A proportion of which must be affordable in line with Wiltshire's policies
PA1	Pre- Application Consultation	Wiltshire Policy N/A	There is no Wiltshire specific policy on pre-application consultation, the NDP policy reflects national policy.
GI1	Green Infrastructure	Core Policy 52 Green Infrastructure.	The plan proposes the establishment of a Hindon Green Infrastructure Network connecting green spaces around and across the village
LGS1	Local Green Space Designation	Para 77-79; NPG advice. 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.
SC1	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.
CA1	Community Facilities	Core Policy 49	The plan policies support and identify local community facilities.
Para 6.10	Safeguarding Employment Sites	Core Policy 35	The plan supports the retention of local business and supports business development.
Para 6.10	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:

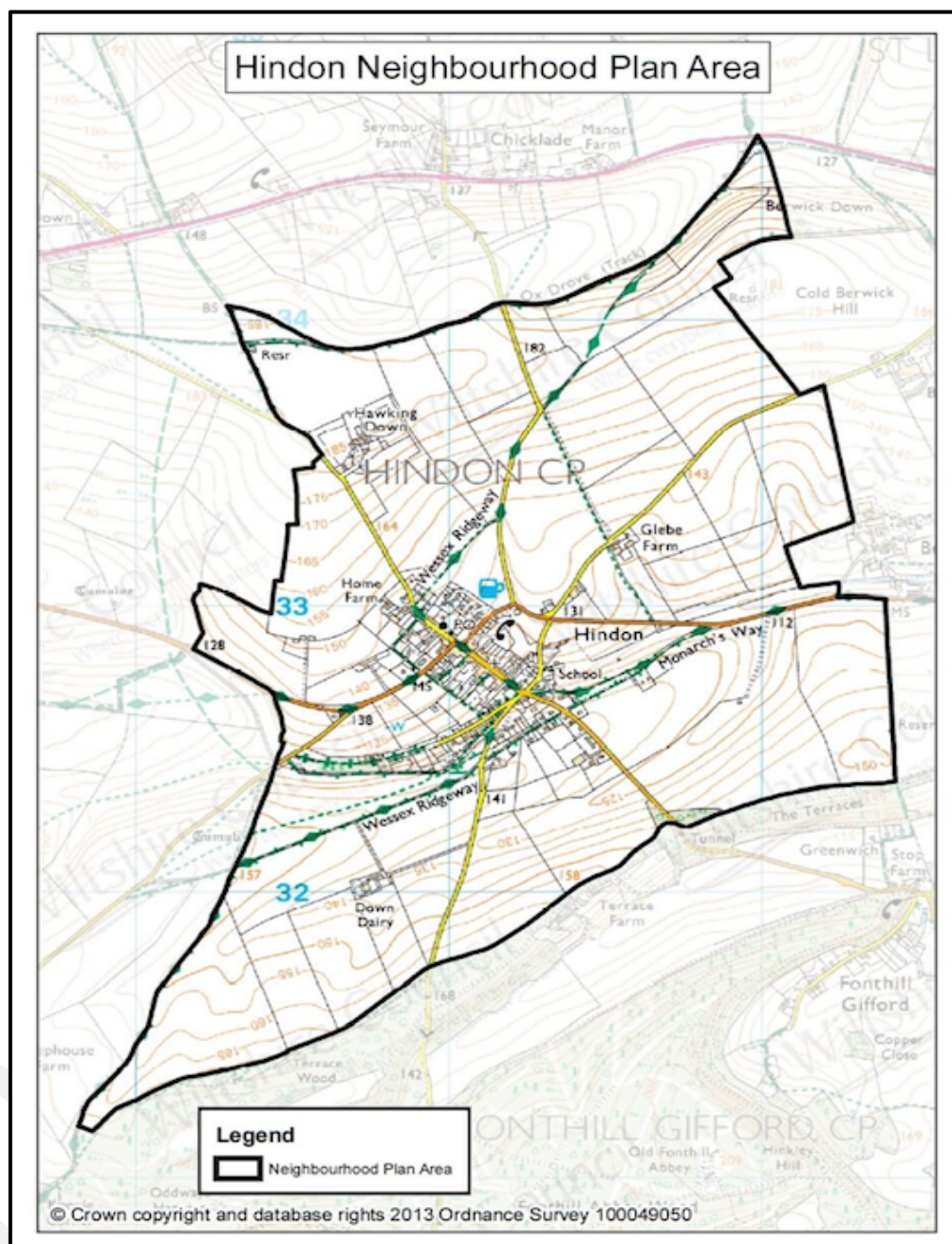
- i. Where local green space designations, and development locations are proposed consultation and notification of inclusion in the NDP has occurred with the landowners concerned. In addition others who are affected by the proposals have been adequately consulted and have had the opportunity to comment 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. In addition, the Hindon NP Steering Group are working with Natural England and Wiltshire Council to establish whether a Habit Regulations Assessment (HRA) is needed

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

¹³ SEA Screening Decision can be found at: 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

2018 – 2031

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 contribute 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 ¹⁴ and a Ecology Appraisal ¹⁵ in April 2018. The outcome from these reports informs developers of Required mitigating strategies. Policy DS1 of the draft NP includes an Ecology corridor.	Positive

¹⁴ BAT Survey www.hindonvillage.org/neighbourhoodplan.htm

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

Topic	Wiltshire Sustainability Objectives	NDP Response	Type of impact Positive/neutral/negative
Air Quality & Environmental Pollution	Improve air quality throughout Wiltshire and minimise all sources of environmental pollution.	The Hindon NP in policy CD1 identifies the risk of light pollution from any new development and says that any new development must adopt a Dark Skies policy. 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 Policy SC1 in the Hindon NP. The Policy states that development should provide sustainable drainage and rainwater harvesting and provide designs that promote renewable energy.	Positive
Healthy Communities	Provide a safe and healthy environment in which to live.	Policies GI1 (Green Infrastructure) The NP proposes the establishment of a Green Infrastructure Network connecting green spaces around and across the village. Policy DS1 includes the provision of an accessible and improved GP Surgery as part of the development. LGS1 (Local Green Spaces) (proposes that Green Spaces are designated (para 77 of NPPF)	Positive

Topic	Wiltshire Sustainability Objectives	NDP Response	Type of impact Positive/neutral/negative
Economy & Enterprise	Encourage a vibrant and diversified economy and provide for long-term sustainable economic growth.	There is little enterprise 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 DS1 (Development Site Chicklade Rd) proposes that 40% of of the housing is affordable and that there is a mix of types of dwellings. The Plan includes a Community Involvement Protocol establishing the process for community involvement in the planning process.	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 CD1 (Character & Design) and LS1 (Landscape Setting & Key Views) promotes the distinctiveness and Character of Hindons conservation area and its landscape setting in the Cranborne Chase & West Wilts AONB	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, re-use and recycling of waste	The settlement boundary around Hindon Village is so tight that any development has to be outside the existing settlement. In choosing the one allocated site the NP Steering Group has carried out Landscape, Heritage and Ecology Assessment to ensure that no harm is done to Landscape and Heritage assets 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 CA1 as community assets, and improved routes proposed to link DS1 into the village centre.	Positive
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Topic	Wiltshire Sustainability Objectives	NDP Response	Type of impact Positive/neutral/negative
Historic Environment	Protect, maintain and enhance the historic environment and archaeological assets	Policy 6.1 Character & Design which refers to the Hindon Village Design Statement & the Hindon Conservation area Appraisal 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	Policy SC1 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 through Policies SC1 And DS1 seeks to ensure that this is managed so that the development causes no negative impact	Positive Neutral
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 proposed at DS1.	Positive

Inclusive Communities	Reduce poverty and deprivation and promote more inclusive and self-contained communities.	The Plan promotes community involvement through the Pre- Application Community Involvement initiative. Policies GI1 & LS1 provide socio-economic and cultural benefits.	Positive
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Appendix 3: Link to Draft Consultation Statement - Hindon Neighbourhood Development Plan (June 2018 www.hindonvillage.org/neighbourhoodplan.htm.)

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

Draft June 18

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 6 th 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 - Hindon Parish Council
Planning Practice Guidance	Guidance for the National Planning Policy Framework
CA	Tisbury Community (Area Housing Allocations Plan – Wiltshire Core Strategy 27)
HND	Hindon Neighbourhood Plan
NP	Hindon Neighbourhood Plan