

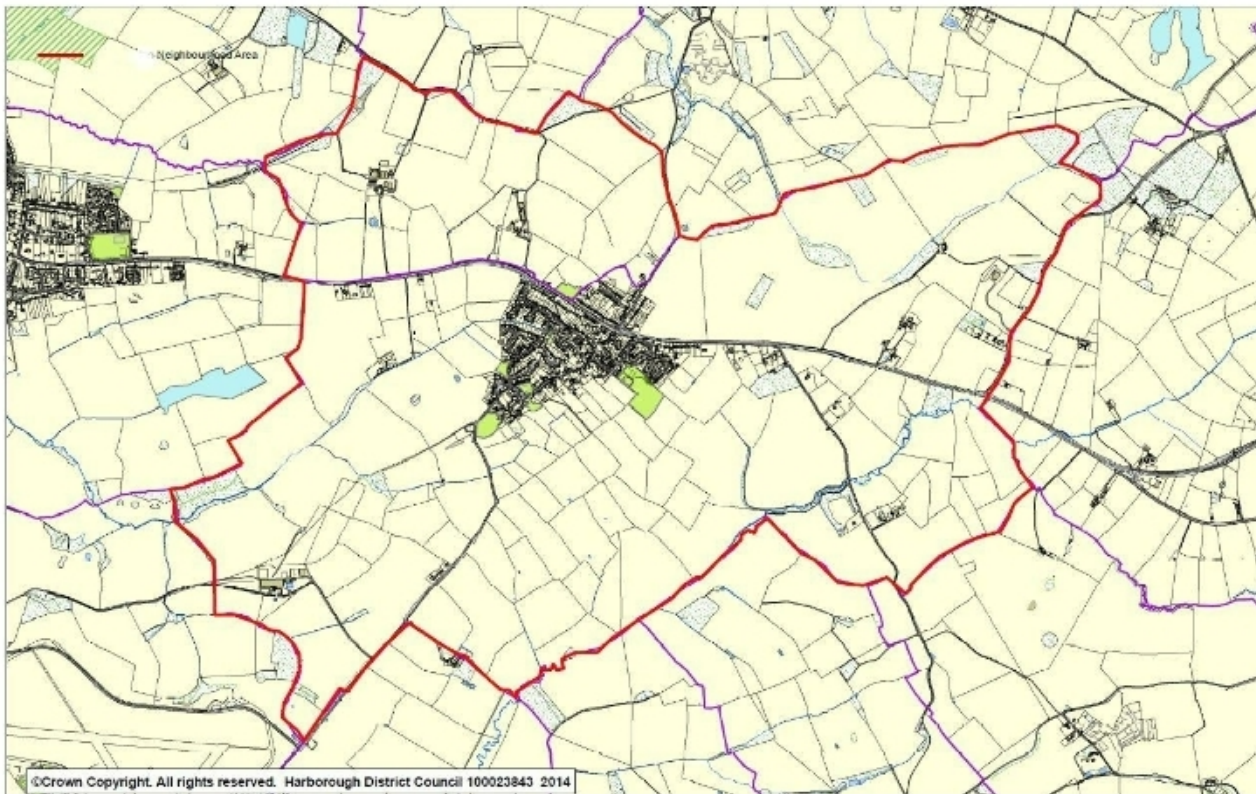
**APPENDIX 4**

**HOUGHTON-ON-THE-HILL NEIGHBOURHOOD PLAN  
2017 – 2031**

**BASIC CONDITIONS STATEMENT**

Town and County Planning Act 1990 (as amended)  
Paragraph 8 (2) of Schedule 4B

Submitted by Houghton-on-the-Hill Parish Council as the qualifying body for the  
Houghton Neighbourhood Plan area shown on the map below.



**Contents**

- 1. LEGAL FRAMEWORK AND REQUIREMENTS**
- 2. APPROPRIATE REGARD TO NATIONAL POLICY**
- 3. APPROPRIATE REGARD TO THE STRATEGIC POLICIES FOR THE LOCAL AREA**
- 4. COMPATIBILITY WITH EU OBLIGATIONS**

## 1. LEGAL FRAMEWORK AND REQUIREMENTS

1.1 Paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 (as amended) [excluding 2b, 2c and 3 to 5 as required by 38(C)] sets out that neighbourhood development plans must meet a number of 'Basic Conditions'. The Examiner must consider the following:

- a) whether the draft neighbourhood development plan meets the basic conditions (see sub-paragraph 2);
- b) whether the draft neighbourhood development plan complies with the provision made by or under sections 61E (2), 61J and 61L;
- c) whether the area for any referendum should extend beyond the neighbourhood area to which the draft neighbourhood development plan relates; and
- d) such other matters as may be prescribed.

1.2 A draft neighbourhood development plan meets the '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 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 neighbourhood development plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood development plan.

1.3 The Examiner is not to consider any matter that does not fall within paragraph (1.2) (apart from considering whether the draft neighbourhood development plan is compatible with the "European Convention on Human Rights")

1.4 How the draft Houghton Neighbourhood Development Plan (the Plan) meets the 'Basic Conditions' is set out in this Basic Conditions Statement.

1.5 The draft Plan is submitted by Houghton Parish Council as a qualifying body. The Plan has been prepared by the Houghton Neighbourhood Plan Working Party, which is led by Houghton Parish Council.

1.6 The whole of the parish of Houghton, together with part of the neighbouring parish of Hungarton, has been formally designated as the Houghton Neighbourhood Area through an application made in 2015 under the Neighbourhood Planning Regulations 2012 (Part 2, section 7) and approved by Harborough District Council on 31<sup>st</sup> July 2015. The respective Parish Councils of Houghton and Hungarton, supported by Harborough District Council, formally agreed in May 2015 that a part of the parish of Hungarton abutting the built environment of Houghton, but distant from the existing settlement of Hungarton, would be more conducive to positive, sustainable planning if considered within the Houghton Neighbourhood Plan Area and not in that of Hungarton. Formal realignment of the parish boundary is being progressed.

1.7 The draft Plan contains policies relating to the development and use of land within the neighbourhood area. Proposals relating to planning matters (the use and development of land) have 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.



1.8 The draft Plan identifies the period to which it relates as 2017 to 2031. The end date has been chosen to align with the end date for the evolving draft of the new Harborough District *Local Plan*.

1.9 The draft Plan does not deal with county matters (mineral extraction and waste development), nationally significant infrastructure or any other matters set out in Section 61K of the Town and Country Planning Act 1990.

1.10 The draft Plan relates only to the Houghton Neighbourhood Plan Area. There are no other neighbourhood development plans in place within the neighbourhood area.

1.11 Houghton Parish Council is satisfied that the draft Plan:

- a) meets the basic conditions (as set out in Paragraph 8 (2) of Schedule 4B to the *Town & Country Planning Act (as amended)* (1990); and
- b) is compatible with the European Convention on Human Rights (1998) and European Union (EU) Obligations; and
- c) complies with the provision concerning Neighbourhood Development Plans made by or under Sections 38A and 38B of the *Planning and Compulsory Purchase Act 2004*.

## 2. APPROPRIATE REGARD TO NATIONAL POLICY

2.1 The draft Plan has been prepared with regard to national policies as set out in the *National Planning Policy Framework* (NPPF). Paragraphs 183-185 of the NPPF describe how Neighbourhood Planning can be used to give communities direct power to develop a shared vision for their neighbourhood and deliver the sustainable development they need. To this end, in paragraph 17 the NPPF lists twelve core planning principles. These are summarised below showing appropriate references within the Houghton NDP.

NPPF Core Planning Principle	Addressed by the Plan at:
Led by local plans which set out a vision for the future of the area.	Section 3.1, The Houghton Vision Statement.
Enhancing and improving the places where people live.	Section 3.3, objectives 1, 3-5, 7 and 8; Sections 4.2.1, 4.2.2, 4.2.3, 4.3 and 4.6; Village Design Statement (Appendix 1).
Drive sustainable development.	Section 3.3, objectives 2 and 8; Sections 4.2.2 and 4.6; Village Design Statement (Appendix 1), section 1.9.
Secure a high-quality of design and a good standard of amenity.	Section 3.3, objectives 1-7; Section 4.3; Village Design Statement (Appendix 1).
Protect the diversity of different areas.	Section 3.3, objective 5; Village Design Statement (Appendix 1), sections 1.3, 1.4, 1.5 and 1.6.
Support the transition to a low-carbon future.	Section 3.3, objective 8; Policies E3, E4 & E5; Village Design Statement (Appendix 1).
Help conserve and enhance the natural environment.	Section 3.3, objective 8; Policies E1 & E2; Village Design Statement (Appendix 1), section 1.5.1, principle B6.
Encourage the re-use of land.	Policies H5 and S4; Village Design Statement (Appendix 1), sections 1.6.3 and 1.8.
Promote mixed-use developments.	Section 3.3, objective 2; Policies S1, S2, S4 and S6.
Conserve heritage assets.	Village Design Statement (Appendix 1), section 1.6.3.
Make full use of public transport, walking and cycling.	Section 3.3, objectives 3 and 4; Policies T1 and E3; Section 4.5; Village Design Statement (Appendix 1), section 1.9.1.
Improve health, social and cultural well-being.	Section 3.3, objectives 3-5, 7 and 8; Policies S5, S6 and E3; Sections 6.1.5; Village Design Statement (Appendix 1), sections 1.5.1 and 1.6.

### 3. APPROPRIATE REGARD TO THE STRATEGIC POLICIES FOR THE LOCAL AREA

3.1 The draft Plan is written in conjunction with, and to conform to, the Harborough District Core Strategy (HCS) for 2006 to 2018 and its supporting statutory documents. The draft Plan for Houghton follows the strategic policies of the Harborough Core Strategy with particular regard to the following:

#### **Policy CS1: Spatial Strategy for Harborough.**

The HDC Policy is to maintain the District's unique rural character whilst ensuring that the needs of the community are met through sustainable growth and suitable access to services. This is mirrored in the Plan (see section 3.2, Houghton Community Key Issues). The Village Design Statement (Appendix 1) also provides detailed guidance that supports the desire to maintain the distinctive rural character of the village which policy CS1 seeks to achieve.

#### **Policy CS2: Delivering New Housing**

The Plan allocates land for the delivery of sufficient new sites and houses for Houghton to be compatible with its status as a Rural Centre and to enable HDC to reach its required housing target. Policies H1 to H7 describe the locations and housing numbers for the Neighbourhood Plan area in accordance with the HDC Plan.

#### **Policy CS3: Delivering Housing Choice and Affordability**

The Plan provides for a range of housing types by size and tenure, including affordable homes, in its land allocation. The Plan states that appropriate levels of affordable housing will be provided to satisfy local demand and in accordance with HDC policy (see Policies H2, H4, H5 and H6).

Developments within the Houghton Plan Area will also be expected to contribute to the provision of affordable homes that are suitable to meet the needs of older people and those with disabilities (see Policy H7).

#### **Policy CS5: Providing Sustainable Transport**

The Plan underpins the existing provision of public transport and offers the opportunity to develop new transport services to surrounding urban centres as well as an improved bus schedule to and from Leicester. Policies ensure that housing developments take place where there is easy access to the A47 to minimise adverse impact on the narrow streets in the core part of the village (see Policies H1, H4, H5, H6, and S2). New developments are required to provide within and from them easy, safe access to the existing village to encourage walking and cycling (see Policies H1 and E3).

#### **Policy CS6: Improving Town Centres and Retailing**

The Plan provides for the maintenance of existing, and opportunities for the development of new, community facilities and retail outlets, through the development of existing, and the provision of new, demand-led premises. Improved parking is needed to address the crowded Main Street (see Policies S1, S2, S4, T1 and T4; Section 4.4.1).

#### **Policy CS7: Enabling Employment and Business Development**

The Plan is supportive of proposals to introduce more employment opportunities into Houghton, including the development of existing premises which might lead to further employment needs (see Policies S1, S4 and S6).

#### **Policy CS8: Protecting and Enhancing Green Infrastructure**

The Plan protects existing green infrastructure (open spaces, landscape and biodiversity) and provides the opportunity for the development of these features. Developers will be required to ensure a proportion of green space is provided consistent with that in the area of St Catharines Way and those roads adjacent to St Catharines Way (see Policies E1 and E2).



### **Policy CS9 – Addressing Climate Change**

The Plan allocates land for housing so as to minimise the use of the car for accessing services and facilities, and Policies address the re-use of surface water, and in-curtilage energy generation; the Plan has considered the Code for Sustainable Homes (2006) Department for Communities and Local Government incorporating principles within its policies (see Policies E4 and E5; Village Design Statement (Appendix 1), section 1.6.1, points d and j).

### **Policy CS11: Promoting Design and our Built Heritage**

The Harborough Core Strategy seeks to ensure high standards of design in new development to create attractive places for people to live, work and visit whilst protecting existing heritage assets and their settings within the District. The Plan outlines a development policy and requirements for each of the sites allocated for development, and details design principles which should be applied to all developments. In order to protect existing heritage within the Neighbourhood Plan area, an area of separation will be maintained between Thurnby / Bushby and Houghton-on-the-Hill to ensure that the identity and distinctiveness of settlements is retained. (see Policy H3; Village Design Statement, Appendix 1).

### **Policy CS12: Delivering Development and Supporting Infrastructure**

The Harborough Core Strategy sets out a schedule for the provision of infrastructure to support development within Harborough District. The Plan requires financial contributions to be made from each developer to mitigate the impact of the development on essential infrastructure (see S2) and to provide social and leisure services for the community in accordance with the obligations detailed in the Harborough District Council: Provision for Open Space, Sport and Recreation (2015).

## **4. COMPATIBILITY WITH EU OBLIGATIONS**

### **4.1 Strategic Environmental Assessment (SEA)**

A Neighbourhood Plan must be compatible with EU regulations in order to be legally compliant. In some limited circumstances, where a neighbourhood plan could have significant environmental effects, it may require a Strategic Environmental Assessment (SEA) under the relevant EU Directive. The Department for Communities and Local Government planning guidance suggests that, whether a neighbourhood plan requires a strategic environmental assessment and (if so) the level of detail needed, will depend on what is proposed in the draft neighbourhood plan. A strategic environmental assessment may be required, for example, where:

- a neighbourhood plan allocates sites for development;
- the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan;
- the neighbourhood plan may have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.

In the case of the Houghton-on-the-Hill Neighbourhood Plan:

- it does not have significant environmental effects as defined by the criteria set out in [Schedule 1 of The Environmental Assessment of Plans and Programmes Regulations 2004](#).
- it does not contain significant proposals beyond those which have already been the subject of an SEA within the Sustainability Appraisal carried out for Harborough District Council's Core Strategy.

A Screening opinion was issued by Harborough District Council with regards to the Strategic Environmental Assessment. This determined that a full SEA was not required. The consultation bodies were asked to comment and no concerns were raised.

## 4.2 Habitats Directive

The Houghton Neighbourhood Plan area does not include or is not close to a European site that would require a Habitat Regulations Assessment.

A Screening opinion was issued by Harborough District Council with regards to a Habitat Regulations Assessment. This determined that an Appropriate Assessment was not required under Habitat Regulations. The consultation bodies were asked to comment and no concerns were raised.

## 4.3 Convention on Human Rights

The Houghton Neighbourhood Plan has regard to and is compatible with the fundamental rights and freedoms guaranteed under the European Convention on Human Rights. The Neighbourhood Plan has been prepared with extensive input from the community and stakeholders as set out in the accompanying Consultation Statement. Considerable care has been taken throughout the preparation and drafting of this Plan to ensure that the views of the whole community were embraced to avoid any unintentional negative impacts on particular groups. There was extensive consultation and engagement in identifying issues and objectives and the draft Neighbourhood Plan was consulted on as required by Regulation 14 of the Neighbourhood Planning (General) Regulations 2012. Responses were recorded and changes made as per the schedule set out in the appendices to the Consultation Statement. The Consultation Statement was produced by the Houghton Neighbourhood Plan Working Party in collaboration with RCC (Rural Community Council - Leicestershire & Rutland) and meets the requirements set out in Paragraph 15(2) of the Regulations.

## 5. CONCLUSION

The Basics Conditions as set out in Schedule 4B of the Town and Country Planning Act 1990 are considered to have been met by the Houghton Neighbourhood Plan. The Plan has regard to national policy, will contribute towards the achievement of sustainable development, is in general conformity with the strategic policies in the Harborough District Core Strategy 2006-2028 and meets relevant EU obligations.

It is therefore respectfully suggested to the Examiner that the Houghton-on-the-Hill Neighbourhood Plan complies with Paragraph 8(1)(a) of Schedule 4B of the Act.

April 2017