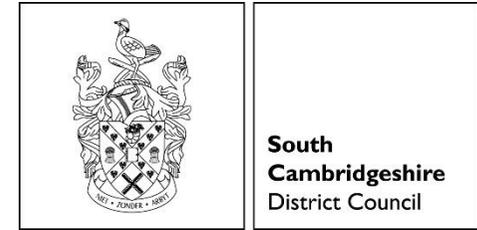


Appendix 2

Basic Conditions and Legal Compliance Check – made(adopted) Neighbourhood Plan



Histon & Impington Neighbourhood Plan – May 2021

Basic Conditions Check

| Requirements | Local Planning Authority Comments | Basic Condition met? |
|---|--|----------------------|
| <p>The Neighbourhood Plan has regard to national policies and advice contained in guidance issued by the Secretary of State and it is appropriate to make the Neighbourhood Plan.</p> | <p>The Council considers that the Neighbourhood Plan is consistent with national policies and advice in that the core land use planning principles set out in the National Planning Policy Framework(2019) have been embodied in the Neighbourhood Plan. Specifically, the Neighbourhood Plan seeks :</p> <ul style="list-style-type: none">• to ensure high quality design (Policy HIM01) see Chapter 12 of NPPF which seeks to achieve well designed places.• to conserve and enhance the historic character of the village (Policies HIM02 and HIM04) see Chapter 16 of NPPF which seeks to achieve well designed places.• to ensure appropriate and adequate parking provision (Policy HIM05) see paragraph 105 and 106 of NPPF which allows for the setting of local parking standards. | <p>Yes</p> |

| Requirements | Local Planning Authority Comments | Basic Condition met? |
|--------------|---|----------------------|
| | <ul style="list-style-type: none"> • to provide for a successful economy (Policies HIM06, HIM07, HIM08 and HIM09) see paragraph 83 of NPPF which seeks to enable the growth and expansion of all types of business in rural areas. • to safeguard community uses (Policies HIM10, HIM11, HIM12, HIM14 and HIM17) see Paragraph 83 in NPPF which seeks to retain and develop accessible local services and community facilities and paragraphs 99-101 in NPPF which allows for the designation of Local Green Space • to safeguard important natural habitats (Policy HIM13) see paragraph 174 of NPPF which seeks to protect and enhance biodiversity. • to protect and enhance walking and cycling routes (Policy HIM15) see Chapter 9 of NPPF which seeks to promote sustainable transport; • to ensure environmental enhancement alongside the A14 (Policy HIM16) see paragraph 91 of NPPF which seeks to encourage the provision of safe and accessible green and infrastructure; • to ensure the provision of housing (Policies HIM03, HIM18 and HIM19) see Chapter 5 of NPPF which seeks to deliver a sufficient supply of homes. <p>This conclusion is consistent with the examiner's conclusions¹ that the Neighbourhood Plan has had regard to national planning policies and guidance, in that</p> | |

¹ Examiner's Report on the Histon & Impington Neighbourhood Plan ([see paragraph 4.7](#))

| Requirements | Local Planning Authority Comments | Basic Condition met? |
|--|--|----------------------|
| | <p>it sets out a positive vision for the future of the neighbourhood area. The examiner has recommended a series of modifications to provide clarity and precision to the policies to ensure that the Neighbourhood Plan fully accords with national policy and guidance. SCDC and Histon & Impington Parish Council have agreed each of the recommended modifications and the modifications are included in the made (adopted) version of the Neighbourhood Plan.</p> | |
| <p>The making of the Neighbourhood Plan contributes to the achievement of sustainable development.</p> | <p>The Council considers that the Neighbourhood Plan contributes to the achievement of sustainable development, specifically by:</p> <ul style="list-style-type: none"> • Contributing to the economic aspects by having policies to meet local housing needs (Policies HIM03 and HIM18) and promotes a successful economy (Policies HIM06 – HIM09 and HIM19) • Contributing to the social aspects by seeking to provide a vibrant community by promoting and safeguarding community uses and spaces (Policies HIM10 – HIM12 and HIM14 and HIM17.) • Contributing to the environmental aspect by having a range of policies which include ones which seek to conserve the historic character of the area (Policy HIM02 and HIM05); safeguard natural habitats and promote green infrastructure (Policies HIM13 and HIM16) and ensure high quality design (Policy HIM01) and encourage means of transport other than cars (Policy HIM15) | <p>Yes</p> |

| Requirements | Local Planning Authority Comments | Basic Condition met? |
|---|---|----------------------|
| | This conclusion is consistent with the examiner's conclusion ² that the Neighbourhood Plan has set out to achieve sustainable development in the neighbourhood area. | |
| The Neighbourhood Plan is in general conformity with the strategic policies contained in the development plan for the area. | <p>The development plan for South Cambridgeshire consists of the adopted South Cambridgeshire Local Plan 2011-2031, and a list of strategic policies is included in Appendix E of the Local Plan. The Basic Conditions Statement, submitted by Histon & Impington Parish Council, considers whether the Neighbourhood Plan is in general conformity with these strategic policies.</p> <p>The Council considers that the Neighbourhood Plan policies are in general conformity with the strategic policies in the adopted South Cambridgeshire Local Plan.</p> <p>This conclusion is consistent with the examiner's conclusion³ that the Neighbourhood Plan delivers a local dimension and supplements the detail already included in the adopted Local Plan, and on that basis is satisfied that the Neighbourhood Plan is in general conformity with the strategic policies in the development plan.</p> | Yes |
| The making of the Neighbourhood Plan does not breach, and is otherwise compatible with, EU obligations. | The Council considers that the Neighbourhood Plan does not breach and is compatible with EU Obligations. | Yes |

² Examiner's Report on the Histon & Impington Neighbourhood Plan ([see paragraph 4.13](#))

³ Examiner's Report on the Histon & Impington Neighbourhood Plan ([see paragraph 4.9](#))

| Requirements | Local Planning Authority Comments | Basic Condition met? |
|--|--|----------------------|
| <p>Prescribed conditions are met in relation to the Neighbourhood Plan, including that the making of the neighbourhood plan is not likely to have a significant effect on a European wildlife site or a European offshore marine site either alone or in combination with other plans or projects.</p> | <p><u>Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA)</u>: a SEA screening has been undertaken that determines that the Neighbourhood Plan is unlikely to result in significant environmental impacts and therefore does not require a SEA. A HRA screening has also been undertaken that indicates that the Neighbourhood Plan is not predicted to have significant effects on any European site, either alone or in conjunction with other plans and projects. These conclusions are supported by the responses from the statutory bodies.</p> <p>As the modifications made to the Histon & Impington Neighbourhood Plan following its examination do not change the essence of its planning policies, the SEA and HRA screening undertaken on a draft version of the Neighbourhood Plan in September 2018, and the screening determination published in October 2018 remain valid.</p> <p>This conclusion is consistent with the examiner's conclusion⁴ that a proportionate process has been undertaken in accordance with the various regulations and the Neighbourhood Plan is compatible with European obligations.</p> <p><u>Human Rights</u>: an assessment has been undertaken to examine the impact of the Neighbourhood Plan policies on persons who have a 'protected characteristic' and the</p> | |

⁴ Examiner's Report on the Histon & Impington Neighbourhood Plan ([see paragraphs 4.1](#))

| Requirements | Local Planning Authority Comments | Basic Condition met? |
|--------------|--|----------------------|
| | <p>results of this assessment are included in the Basic Conditions Statement. The Council is supportive of the assessment which concludes that the Neighbourhood Plan will not result in negative effects on persons who have a 'protected characteristic' and that there may be positive impacts on persons with a 'protected characteristic'.</p> <p>This conclusion is consistent with the examiner's conclusion⁵ that the Neighbourhood Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and that it complies with the Human Rights Act.</p> | |

CONCLUSION: South Cambridgeshire District Council has confirmed that the 'Made' version of the Histon & Impington Neighbourhood Plan meets the Basic Conditions.

* Please note that all references to primary and secondary legislation are to those enactments as amended.

⁵ Examiner's Report on the Histon & Impington Neighbourhood Plan ([see paragraph 3.11](#)):