

Hampton in Arden Neighbourhood Plan

Basic Conditions Document

Prepared August 2025

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1. Introduction

1.1. This document shows how the Draft Hampton-in-Arden Parish Neighbourhood Plan complies with the Basic Conditions required under paragraph 8 of schedule 4B to the 1990 Town and Country Planning Act as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004.

- **Qualifying Body** - Legislation enables three types of organisations, known as qualifying bodies, to lead it, a parish or town council, a neighbourhood forum or a community organisation. This Neighbourhood Plan has been prepared by Hampton-in-Arden **Parish Council** which was recognised as the qualifying body by Solihull Metropolitan Borough Council (Solihull MBC) in June 2013 and in April 2021 when a new area designation was agreed
- **Neighbourhood** - The Plan relates to the area of land in the Civil Parish of Hampton-in-Arden in the Metropolitan Borough of Solihull as last amended in 2019. It has been prepared in accordance with the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and the Neighbourhood Planning (General) Regulations 2012. It relates solely and entirely to the Civil Parish of Hampton-in-Arden. The existing Hampton in Arden Neighbourhood Plan which was made in 2017 relates to the Parish area pre-2019. This update will replace this plan and cover the amended Parish area.
- **Period Covered** - The Plan covers the ten-year period from 2025.
- **Context** - This **Plan** is an **update** to the plan made in **2017** following an extensive process of consultation between 2014 and 2016 and which was considered by the independent Inspector to have fulfilled the basic and consultation requirements on that occasion. This update covers an extended Parish area incorporating the village of Catherine de Barnes. This area designation was agreed in 2021. A full new consultation process has been conducted for this update, as described in the Consultation Statement.

Government guidelines state that Neighbourhood Plans can be developed before or at the same time as the local planning authority is producing its local plan. Although it must be in general conformity with the strategic policies of the Local Plan in force if it is to meet the basic condition, and is not tested against the policies in an emerging local plan, the reasoning and evidence informing the local plan process is likely to be relevant to the consideration of the basic conditions against which a

Neighbourhood Plan is tested.

This updated Neighbourhood Plan is brought forward before an up-to-date SMBC Local Plan is in place has been informed by extensive discussion between the Parish Council and SMBC.

- **Excluded Development** - The Plan does not deal with those matters formally dealt with by Solihull MBC, including mineral extraction and waste development, nationally significant infrastructure (such as highways and railways) or other matters set out in Section 61K of the Town and Country Planning Act 1990.

2. Summary of Basic Conditions

- 2.1. The following statement will address each of the four 'basic conditions' required of the Regulations and explains how the Neighbourhood Plan meets the requirement of paragraph 8 of schedule 4B to the 1990 Town and Country Planning Act as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004.
- 2.2. The Regulations state that the 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.

3. Basic Condition No 1

- 3.1. This Plan has regard to national policies and advice contained in guidance issued by the Secretary of State.
- 3.2. The policies and advice from the Secretary of State are contained in the National Planning Policy Framework (NPPF) as most recently amended in December 2024.
- 3.3. The section headings of the NPPF are set out below:
 - Achieving sustainable development
 - Plan-making
 - Decision-making
 - Delivering a sufficient supply of homes
 - Building a strong, competitive economy
 - Ensuring the vitality of town centres
 - Promoting healthy and safe communities
 - Promoting sustainable transport
 - Supporting high quality communications
 - Making effective use of land
 - Achieving well-designed places
 - Protecting Green Belt land
 - Meeting the challenge of climate change, flooding and coastal change
 - Conserving and enhancing the natural environment
 - Conserving and enhancing the historic environment
 - Facilitating the sustainable use of minerals

3.4. In broad terms these have been achieved by:

| Section of 2024 NPPF | Relevant Parts of this Neighbourhood Plan |
|---|--|
| Achieving sustainable development | <p>Section 3A – SUSTAINABLE ECONOMIC DEVELOPMENT and Policies B1 – Employment, B2 – Protection of local businesses, B3 – Working from home and B4 – Digital communications.</p> <p>Section 3B – HOUSING PROVISION and Policies H1 – Scope and Infrastructure for new developments, H2 – New housing types and designs, H3 - Amenity standards in new developments, and H6 – Back-garden development.</p> <p>Section3C – SUSTAINABLE TRAVEL and Policies T1 – Safe cycling and pedestrian routes, T2 – Sustainable Public Transport Option, T3 Parking and T4 – Traffic Management.</p> <p>Section 3D – PROTECTION OF THE ENVIRONMENT and Policies E1 – Trees & green habitat, E2 – Biodiversity, E3 –Climate Change, E4 – Renewable Energy and Energy Security Schemes, and E5 – Light & Noise pollution.</p> <p>Section 3E – QUALITY OF PLACE and Policies Q1 – Heritage assets, Q2 – Design standards and Q3 – Valued views.</p> <p>Section3F – COMMUNITY SERVICES and Policies L1 – Community services and L2 – Appropriate infrastructure.</p> |
| Plan-making and Decision-making | <p>This updated Neighbourhood Plan, like its predecessor, was prepared by a Parish Council Working Group following consultation with residents, statutory authorities, local businesses, and community organisations. Solihull MBC officers have been consulted throughout. Full details are set out in the Consultation Statement.</p> |
| Delivering a sufficient supply of homes | <p>Section 3B – HOUSING PROVISION and Policies H1 – Scope and Infrastructure for new developments, H2 – New housing types and designs, H3 - Amenity standards in new developments, and H6 – Back-garden development.</p> |
| Building a strong, competitive economy | <p>Section3C – SUSTAINABLE TRAVEL and Policies T1 – Safe cycling and pedestrian routes, T2 – Sustainable Public Transport Option, T3 Parking and T4 – Traffic Management.</p> |
| Ensuring the vitality of | Not relevant to this plan. |

| | |
|--|--|
| town centres | |
| Promoting healthy and safe communities | <p>Section 3C – SUSTAINABLE TRAVEL and Policies T1 – Safe cycling and pedestrian routes, T2 – Sustainable Public Transport Option, T3 Parking and T4 – Traffic Management.</p> <p>Section 3E – QUALITY OF PLACE and Policies Q2 – Design standards and Q3 – Valued views.</p> <p>Section 3F – COMMUNITY SERVICES and Policies L1 – Community services and L2 – Appropriate infrastructure.</p> |
| Promoting sustainable transport | <p>Section 3C – SUSTAINABLE TRAVEL and Policies T1 – Safe cycling and pedestrian routes, T2 – Sustainable Public Transport Option, T3 Parking and T4 – Traffic Management.</p> |
| Supporting high quality communications | <p>Section 3A – SUSTAINABLE ECONOMIC DEVELOPMENT and Policies B3 – Working from home and B4 – Digital communications</p> |
| Making effective use of land | <p>Section 2 – PLANNING CONSTRAINTS and paras on Listed Status, Conservation Area, Green Belt, Inset Areas and Flood Risk. Section 3A – SUSTAINABLE ECONOMIC DEVELOPMENT and Policies B1 – Employment, B2 – Protection of local businesses, B3 – Working from home and B4 – Digital communications.</p> <p>Section 3B – HOUSING PROVISION and Policies H1 – Scope and Infrastructure for new developments, H2 – New housing types and designs, H3 - Amenity standards in new developments, H5 – Conversions and extensions, and H6 – Back-garden development.</p> <p>Section 3E – QUALITY OF PLACE and Policies Q1 – Heritage assets, Q2 – Design standards and Q3 – Valued views.</p> |
| Achieving well-designed places | <p>Section 3B – HOUSING PROVISION and Policies H1 – Scope and Infrastructure for new developments, H2 – New housing types and designs, H3 - Amenity standards in new developments, H5 – Conversions and extensions, and H6 – Back-garden development.</p> <p>Section 3E – QUALITY OF PLACE and Policies Q1 – Heritage assets, Q2 – Design standards and Q3 – Valued views.</p> |
| Protecting Green Belt land | <p>Section 2 – PLANNING CONSTRAINTS and paras on Listed Status, Conservation Area, Green Belt, Inset Areas and</p> |

| | |
|---|--|
| | Flood Risk. |
| Meeting the challenge of climate change, flooding, and coastal change | Section 2 – PLANNING CONSTRAINTS and paras on Green Belt and Flood Risk. Section 3D – PROTECTION OF THE ENVIRONMENT and Policies E1 – Trees & green habitat, E2 – Biodiversity, E3 –Climate Change, and E4 – Renewable Energy and Energy Security Schemes. |
| Conserving and enhancing the natural environment | Section 2 – PLANNING CONSTRAINTS and paras on Listed Status, Conservation Area, Green Belt, Inset Areas and Flood Risk. Section 3D – PROTECTION OF THE ENVIRONMENT and Policies E1 – Trees & green habitat, E2 – Biodiversity, E3 –Climate Change, E4 – Renewable Energy and Energy Security Schemes, and E5 – Light & Noise pollution. |
| Conserving and enhancing the historic environment | Section 3B – HOUSING PROVISION and Policies H1 – Scope and Infrastructure for new developments, H2 – New housing types and designs, H5 – Conversions and extensions, and H6 – Back-garden development. Section 3E – QUALITY OF PLACE and Policies Q1 – Heritage assets, Q2 – Design standards and Q3 – Valued views. |
| Facilitating the sustainable use of minerals | Not relevant to this plan. |
| | |

4. Basic Condition No 2

- 4.1. This Plan contributes to the achievement of sustainable development.
- 4.2. The Parish Council has accepted the need to accommodate new dwellings in the area including some development on the **Green Belt**. Although drafted to be in formal compliance with SMBC's 2013 Local Plan, it has considered additional sites identified since, such as the potential development sites off Lugtrout Lane, Oak Farm and Meriden Road, and has also considered changes in the NPPF in 2024 which identified the concept of **Grey Belt**.
- 4.3. The Plan sets out advice to developers on what will make new development more acceptable to the communities affected and provides guidance on how we are likely to evaluate any proposals to recategorise Green Belt to Grey Belt.
- 4.4. The Plan sets those objectives within the context of policies for Sustainable Economic Development, Housing Provision, Sustainable Travel Provision, Protection of the Environment, Quality of Place, and delivery of Community Services.

1. Basic Condition No 3

- 1.1. This Plan is in general conformity with the strategic policies of the development plan for the area.
- 1.2. This Neighbourhood Plan is cross-referenced to the Policy Themes of the 2013 Solihull Local Development Plan as described below:

| Policy Theme from 2013 SMBC Local Plan | Relevant Parts of this Neighbourhood Plan |
|--|---|
| Sustainable Economic Growth | Section 3A – SUSTAINABLE ECONOMIC DEVELOPMENT and Policies B1 – Employment, B2 – Protection of local businesses, B3 – Working from home and B4 – Digital communications. |
| Providing Homes For All | Section 3B – HOUSING PROVISION and Policies H1 – Scope and Infrastructure for new developments, H2 – New housing types and designs, H3 - Amenity standards in new developments, H4 - Flood Risk, H5 – Conversions and extensions, and H6 – Back-garden development. |
| Improving Accessibility and Encouraging Sustainable Travel | Section 3C – SUSTAINABLE TRAVEL and Policies T1 – Safe cycling and pedestrian routes, T2 – Parking and T3 – Traffic Management. |
| Protecting and Enhancing our Environment | Section 3D – PROTECTION OF THE ENVIRONMENT and Policies E1 – Trees & green habitat, E2 – Biodiversity, E3 –Climate Change, E4 – Renewable Energy and Energy Security Schemes, and E5 – Light & Noise pollution. |
| Promoting Quality of Space | Section 3E – QUALITY OF PLACE and Policies Q1 – Heritage assets, Q2 – Design standards and Q3 – Valued views. |
| Supporting Local Communities | Section 3F – COMMUNITY SERVICES and Policies L1 – Community services and L2 – Appropriate infrastructure. |

2. Basic Condition No 4

- 2.1. This Plan is compatible with relevant environmental legislation and European Convention on Human Right (ECHR) obligations.
- 2.2. In May 2025 Solihull MBC submitted the draft Plan and associated documents for a Regulation 15 screening by the three statutory environmental bodies to seek agreement that neither a Strategic Environmental Assessment nor a Habitat Regulations Assessment was required. Their detailed report and assessment concluded that the Hampton in Arden Plan did not require a full SEA or a full HRA.
- 2.3. The conclusion of the **Environmental Agency** was:

Having reviewed the Screening Report submitted, and in consideration of the matters within our remit, we concur with the conclusion that, given the lack of specific site allocations within the NDP, the Hampton in Arden Neighbourhood Plan is unlikely to have significant environmental impacts and a Strategic Environmental Assessment is not therefore required.

- 2.4. The conclusion of **Natural England** was:

Natural England does not have any specific comments on this neighbourhood plan SEA/HRA Screening Report.

- 2.5. The conclusion of **English Heritage** was:

On the basis of the information supplied and in the context of the criteria set out in Schedule 1 of the Environmental Assessment Regulations [Annex II of the 'SEA' Directive], Historic England concurs with your view that the preparation of a Strategic Environmental Assessment is not required. Regarding HRA Historic England does not disagree with your conclusions but would defer to the opinions of the other statutory consultees.

- 2.6. The full SMBC Screening Report and responses from the Environment Agency, Natural England and English Heritage are attached as appendices to this Document.
- 2.7. **The European Convention on Human Rights** - The Neighbourhood Plan has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and does not diminish the human rights of residents living within the Parish or others who may be affected by it.

3. Conclusion

- 3.1. It is our belief, based on the statements in this document and the supporting information supplied in the appendices, that this Neighbourhood Plan meets the Basic Conditions required under current legislation.

APPENDICES

Appendix A – SMBC SFA/HRA Screening Report – May 2025

Appendix B - Environmental Agency Response – June 2025

Appendix C – Natural England Response – June 2025

Appendix D – English Heritage Response – June 2025