

# Hingham Neighbourhood Plan

## Basic Conditions Statement

To accompany the Hingham Neighbourhood Plan  
submission version, for examination

**January 2024**

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# 1 Introduction

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- 1.1 When submitting a Neighbourhood Plan to the Local Authority (in this case South Norfolk Council), it is a requirement that the Plan be accompanied by a number of supporting documents. One of these is commonly referred to as the 'Basic Conditions Statement'. Only a Neighbourhood Plan that meets each of the basic conditions can be put to referendum and if successful, be used to assist in the determination of planning applications.
- 1.2 This Basic Conditions Statement is prepared for use by South Norfolk Council and the Independent Planning Examiner, to assist in making this assessment about the basic conditions.

# 2 Legal requirements

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**Legal Requirements:** The Hingham Neighbourhood Plan is compliant with The Planning and Compulsory Purchase Act 2004 38A (1) & (2) and 38B (a)-(c) (as amended).

**Qualifying Body:** The Hingham Neighbourhood Development Plan is being submitted by a qualifying body – Hingham Town Council. Hingham Town Council was confirmed as a qualifying body by South Norfolk Council in September 2021 when the Hingham Neighbourhood Plan Area was designated.

**A Neighbourhood Development Plan:** The Hingham Neighbourhood Development Plan is a neighbourhood development plan. It 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.

**The time period covered:** The Hingham Neighbourhood Development Plan states the time-period for which it is to have effect (from 2023-2043) a period of 20 years.

**Excluded Development:** The Hingham Neighbourhood Development Plan policies do not relate to excluded development. The Hingham Neighbourhood Development 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.

**Area of the Neighbourhood Plan:** The Hingham Neighbourhood Development Plan relates to the Hingham Town Council's Neighbourhood Area and to no other area. There are no other Neighbourhood Plans in place relating to that Neighbourhood Area.

### 3 Basic Conditions

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- 3.1 Paragraph 8(2) of Schedule 4B in the Town and Country Planning Act 1990 (as amended by Schedule 10 of the Localism Act 2011 and paragraph 102 (1) of the Levelling Up and Regeneration Act 2023) sets out a series of requirements that Neighbourhood Plans must meet. These ‘basic conditions’ are set out below:
- 3.2 A draft 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 plan (see Section 4 below).
  - (b) Having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order (applies in relation to a Listed Building only) insofar as the order grants planning permission for development that affects the building or its setting (not applicable in respect of the Hingham Neighbourhood Plan).
  - (c) Having special regard to the desirability of preserving or enhancing the character or appearance of the Conservation Area it is appropriate to make the order (applies in relation to Conservation Areas only) insofar as the order grants planning permission for development in relation to buildings or land in the area (not applicable in respect of Hingham Neighbourhood Development Plan).
  - (d) The making of the Plan contributes to the achievement of sustainable development (see Section 5 below).
  - (e) The making of the 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). (see Section 4 below).

*Note: The Levelling up and Regeneration Act 2023, introduces a replacement Basic Condition to replace (e) above as follows, which is yet to be formally enacted but nevertheless has been considered by this statement:*

- e) (a) the making of the order/Plan would not have the effect of preventing development from taking place which
  - (i) is proposed in the development plan for the area of the authority (or any part of that area), and
  - (ii) if it took place, would provide housing
- (f) The making of the Plan does not breach and is otherwise compatible with EU obligations (see Section 6 below) and,
- (g) Prescribed conditions are met in relation to the plan and prescribed matters have been complied with, in connection with the proposal for the plan (see Section 7 below).

- 3.3 Where applicable each of these basic conditions is addressed in the following sections. For clarification it should be noted that b) and c) above are not applicable to the Hingham Neighbourhood Development Plan and refer to 'Neighbourhood Orders' only.

## 4 Compliance with Basic Conditions (a) and (e)

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- 4.1 The following tables provide an appraisal of the extent to which the Hingham Neighbourhood Plan has regard to national policy and is in general conformity with strategic local policy.
- 4.2 The Neighbourhood Plan policies were drafted to be in conformity with the National Planning Policy Framework published in July 2021 and in December 2023. Table A below assesses the degree of regard that the Hingham Neighbourhood Development Plan policies have had to NPPF 2023 (Column B).
- 4.3 The adopted Development Plan for Hingham comprises a number of documents. The Greater Norwich Joint Core Strategy (JCS) was adopted in 2014 and its plan period extends to 2026.
- 4.4 In addition, South Norfolk Council has an adopted Development Management Policies Document (DMPD 2015) and a Site-Specific Allocations and Policies Document (SSAPD 2015).
- 4.5 Therefore the Policies contained within the Hingham Neighbourhood Plan have been assessed for their conformity against the existing Development Plan – the Greater Norwich Joint Core Strategy 2014 (Column C), the South Norfolk Development Management Policies 2015 (Column D), the South Norfolk Site-Specific Allocations and Policies Document (Column E).
- 4.6 During the production of the Neighbourhood Plan, the strategic policies for the area were under-going revision. The JCS is in the process of being replaced by the Greater Norwich Local Plan (GNLP), which looks to 2038. Post Examination Modifications to the GNLP were published for consultation in October 2023 for a six-week consultation period which ended on 6th December 2023. At the time of submitting this Neighbourhood Development Plan, the policies of the emerging Greater Norwich Local Plan were not adopted, however they are relatively advanced having completed Examination. It has therefore also been necessary to assess the policies of the Neighbourhood Plan against the most recent version of the emerging GNLP which is that version published as modifications in October 2023. The policy assessment against the emerging policies of the GNLP is shown in Table 2.
- 4.7 In summary, it is the view of the Hingham Town Council (as the relevant Qualifying Body) that the appraisal demonstrates that the Hingham Neighbourhood Development Plan has had appropriate regard to and is in general conformity with, both national and strategic policy.

**Adopted Policy Documents – Table A**

Column A <b>The Hingham Neighbourhood Development Plan Policy</b>	Column B <b>NPPF 2023</b>	Column C <b>Greater Norwich Joint Core Strategy 2014 (JCS)</b>	Column D <b>South Norfolk Development Management Policies 2015 (DMPD)</b>	Column E <b>South Norfolk Site Specific Allocations and Policies Document 2015 (SSAPD)</b>
<b>HING1: Sustainable Development</b>	<p>This policy is consistent with paragraph 8 of the NPPF 2023, which outlines the three overarching objectives of the planning system.</p> <p>The purpose of Policy HING1 is to provide a localised context for sustainable development and identify what sustainable development would need to look like in Hingham.</p>	<p>This policy is consistent with the JCS spatial vision which covers the environmental, economic and social strands of sustainable development.</p>	<p>This policy is consistent with Policy DM1.1 which seeks to ensure that development management contributes to achieving sustainable development in South Norfolk.</p> <p>Policy HING1 provides a more localised context for sustainable development at parish level.</p>	<p>This policy is consistent with Section 4 Key Service Centres of the SSAPD. The text supporting the Hingham section provides a description of Hingham in terms of form character, availability of services and the rationale for the 'Development boundary'.</p>
<b>HING2: Location and scale of new housing</b>	<p>This policy is consistent with NPPF paragraph 29 which advises that Neighbourhood Plans should not promote less development than set out in the strategic policies for the area or undermine them.</p> <p>Policy HING2 acknowledges that development will continue to take place in Hingham and that over the plan period this</p>	<p>This policy is consistent with Policy 14 of the Adopted JCS which identifies Hingham as a 'key service centre' in the settlement hierarchy in which land will be allocated for residential development subject to impacts on form</p>	<p>This policy is consistent with DMPD Policy 1.3 The sustainable location of new development which indicates that development in Key Service Centres will takes place on allocated sites or within the development boundaries.</p> <p>Policy HING2 identifies form and character of the area as a key consideration</p>	<p>This policy is consistent with pages 104 and 105 of the SSAPD which describes the form and character of the parish and defines the development boundary.</p>

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	<p>will consist of the allocation identified in the emerging GNLP together with windfall development inside the settlement boundary and some limited development outside of the settlement boundary that is consistent with other national and local policies.</p> <p>Beyond the GNLP allocation Policy HING2 seeks to broadly direct new development to locations which can be easily connected to the town centre and local facilities and to consolidate development to the north, west and south rather than further elongate the town to the east.</p>	<p>and character and the resolution of any specific servicing constraints.</p> <p>Policy HING2 identifies form and character of the area as a key consideration for new development and makes provision for windfall development within the settlement boundary.</p> <p>The JCS makes provision for 100 new dwellings in Hingham which has been delivered in the form of The Hops development at Norwich Road.</p>	<p>for new development and makes provision for windfall development within the settlement boundary.</p>	

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<b>HING3: Housing Mix</b>	<p>This policy reflects NPPF para 63, which advises that planning policies should reflect the needs of “those who require affordable housing, families with children, older people (including those who require retirement housing, housing with care and care homes) students, people with disabilities, service families, travellers, people ,who rent their homes and people wishing to commission or build their own homes”.</p> <p>The policy is based on consultation, carried out with local residents and the Housing Needs Assessment carried out by AECOM. The policy specifically seeks to retain the existing broad balance of housing in the town.</p>	<p>This policy is consistent with JCS Policy 4 – Housing Delivery which requires proposals for housing to contribute to the mix of housing required to provide balanced communities and meet the needs of the area.</p> <p>Policy HING3 is based on specific local evidence from the Housing Needs Assessment.</p>	<p>This policy is consistent with Policy DM 3.1 and 3.2 of the DMPD which seek to ensure that new housing should contribute to a range of dwelling types and meet the needs of different households including affordable housing.</p> <p>Policy HING3 makes provision for a mix of housing types to retain the currently good balance in the housing stock of Hingham.</p>	<p>The SSAPD does not contain an equivalent or corresponding policy.</p>



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<b>HING4: Design</b>	<p>This policy reflects NPPF Section 12 which indicates that the creation of high quality, beautiful and sustainable buildings and places is fundamental to planning.</p> <p>Policy HING4 is supported by a specific design code for Hingham which is consistent with the emphasis in NPPF paragraphs 132 and 133. The policy seeks to ensure that all new development should reflect the parish's local distinctiveness and character and seek to enhance its quality.</p> <p>The Design Code which supports the policy contains clear guidance on a range of design elements which are reflected in the policy.</p>	<p>This policy is consistent with JCS Policy 2- Promoting Good Design, which seeks to ensure that all development will be designed to the highest possible standards, creating a strong sense of place. In particular development proposals will respect local distinctiveness including the landscape character and historic environment, the varied character of villages, designing out crime, the use of sustainable and traditional materials.</p> <p>Policy HING4 is informed by both a Character Appraisal</p>	<p>This policy is consistent with Policy DM 1.4 of the DMPD which seeks to promote high quality design and local distinctiveness and Policy DM 3.8 which sets out the design principles that all development is subject to .</p> <p>Policy HING4 adds a more locally distinct dimension and is supported by the Design Guidance and Codes which covers the same issues in detail.</p>	<p>The SSAPD does not contain an equivalent or corresponding policy.</p>

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		and the Design Guidance and Codes.		
<b>HING5: Historic Environment</b>	<p>This policy reflects NPPF paragraph 209 which outlines the approach to assessing the impact of applications on non-designated heritage assets. “In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.”</p> <p>Policy HING5 identifies the historic core of the town and 14 Non- Designated Heritage Assets, which have been assessed using the Historic England Listing Criteria.</p>	<p>This policy is in accordance with Policy 1 of the JCS which identifies that the built environment, heritage assets, and the wider historic environment will be conserved and enhanced through the protection of buildings and structures which contribute to their surroundings, the protection of their settings, the encouragement of high-quality maintenance and repair and the enhancement of public spaces. The policy identifies a number of non-</p>	<p>This policy is in conformity with Policy DM 4.10 of the DMPD – Heritage Assets, which ensures that new development must have appropriate regard to the significance and setting of heritage assets including Listed Buildings and Conservation Areas. Design.</p> <p>Policy HING5 refers to both designated and non-designated ‘heritage assets’ (para 4.81 of the DMPD).</p>	<p>The SSAPD does not contain an equivalent or corresponding policy, although the text on page 105 refers to the importance of the grounds of the Rectory, St Andrew’s Church, the churchyard, St Andrew’s Lodge and the Fairlands in terms of their contribution to the historic character of the town.</p>

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		designated heritage assets.		
<b>HING6: Community Infrastructure</b>	<p>This policy is consistent with the criteria set out in paragraph 97 which requires planning policies to plan to provide the social, recreational and cultural facilities and services that the community needs. In addition, planning policies should aim to “guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs.</p> <p>Policy HING6 seeks to ensure that the community infrastructure required to support growth is made available to meet the needs of that development and also seeks to resist the loss of community facilities unless it can be demonstrated that the need for the facility no longer</p>	<p>This policy is consistent with JCS Policy 8, which seeks to maintain and enhance existing cultural assets and leisure facilities.</p> <p>Furthermore Policy 7 of the Adopted JCS Supporting Communities, sets out the importance of community infrastructure being in place at a local level to support communities and growth.</p>	<p>This policy is consistent with Policy 3.16 of the DMPD which seeks to protect existing community facilities through a criteria-based policy. The criteria relate to viability, alternative provision and consistency with community led plans in the area.</p> <p>.</p>	<p>The SSAPD does not contain an equivalent or corresponding policy.</p>

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	exists, is no longer viable or suitable alternative provision exists elsewhere.			
<b>HING7: New sports provision</b>	<p>This policy is consistent with the criteria set out in paragraph 102 which requires planning policies to determine what open space, sport and recreation provision is needed.</p> <p>Policy HING7 encourages the provision of new sport and recreation facilities with particular emphasis on sports pitches and all weather games areas. The policy is based upon the results of consultation with the community.</p>	This policy is consistent with JCS Policy 8, which seeks to maintain and enhance existing cultural assets and leisure facilities.	This policy is consistent with Policy 3.15 of the DMPD, which supports the provision of adequate outdoor play facilities and recreational open space commensurate with the level of development proposed in order to meet the need of occupants.	The SSAPD does not contain an equivalent or corresponding policy.
<b>HING8: Allotments and green spaces</b>	This policy is consistent with the criteria set out in paragraph 102 which requires planning policies to determine what open space, sport and recreation provision is needed.	This policy is consistent with JCS Policy 8, which seeks to maintain and enhance existing cultural assets and leisure facilities.	This policy is consistent with Policy 3.15 of the DMPD, which supports the provision of adequate outdoor play facilities and recreational open space commensurate with the level of	The SSAPD does not contain an equivalent or corresponding policy.

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	Policy HING8 encourages the provision of new allotments, children's play areas and community orchards and is based upon the results of consultation with the community.		development proposed in order to meet the need of occupants.	
<b>HING9: Allocation of land for community uses</b>	<p>This policy is consistent with the criteria set out in paragraph 97 which requires planning policies to plan to provide the social, recreational and cultural facilities and services that the community needs.</p> <p>Policy HING9 makes an allocation for community uses including a car park and cemetery extension at Ladies Meadow. The need for both having been raised through community consultation.</p>	This policy is a site specific policy and there is no equivalent or corresponding policy in the Adopted JCS.	This policy is a site specific policy and there is no equivalent or corresponding policy in the Adopted DMPD.	This policy is a site specific policy and there is no equivalent or corresponding policy in the Adopted SSAPD.
<b>HING10: Town Centre parking</b>	This policy is consistent with NPPF paragraph 112 which encourages the provision of convenient, safe and secure parking in town centres.	This policy is a locally distinctive policy relating to parking in Hingham Town centre and there is no	This policy is consistent with Policy DM 2.4 of the DMPD which identifies Hingham as a key service centre and	This policy is consistent with the text on page 105 of the SSAPD which refers to the town centre

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	Policy HING10 provides criteria for judging the suitability of applications for new car parking in the town.	equivalent or corresponding policy in the Adopted JCS.	defines the extent of the town centre of Hingham.	
<b>HING11: Parking in new developments</b>	<p>This policy is consistent with NPPF paragraph 111 which sets out guidance for the setting of local parking standards for residential and non-residential development. Considerations should include the type, mix and use of the development, the accessibility of the development and the availability of public transport.</p> <p>Policy HING11 provides more localised detail on the provision of parking for visitors, emergency vehicles and deliveries as well as guidance on the design and location of communal parking areas.</p>	<p>This policy is consistent with Adopted JCS Policy 2, Promoting Good Design, which the need to ensure cycling and walking friendly neighbourhoods by applying highway design principles that do not prioritise the movement function of streets at the expense of quality of place and the need to increase the use of public transport, including through 'public transport oriented design' for larger development</p>	<p>This policy is consistent with DM Policy 3.12 which ensures that development should provide sufficient parking problems to avoid highway safety problems and to protect living and working conditions locally. In decision making, consideration will be given to local parking / highway conditions.</p>	<p>The SSAPD does not contain an equivalent or corresponding policy.</p>

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<b>HING12: Improving access and safety</b>	<p>This policy is consistent with paragraph 96 (c) of the NPPF which supports healthy lifestyles through encouraging walking and cycling and paragraph 108 ( c) which promotes walking and cycling as a preferred transport option.</p> <p>Policy HING12 seeks to improve the health and wellbeing of residents through the provision of safe and attractive pedestrian and cycle routes. The policy is also consistent with paragraph 115 which considers the impacts of new development on highway safety.</p>	<p>This policy is consistent with Policy 1 and Policy 2 of the Adopted JCS which indicate that development will minimise the need to travel and give priority to low impact modes of travel and promotes the inclusion of cycling and walking friendly measures into development.</p>	<p>This policy is consistent with DM Policy 3.11, Road Safety and the free flow of traffic which seeks to ensure that new development will not be permitted that endangers highway safety or the satisfactory functioning of the highway network.</p>	<p>The SSAPD does not contain an equivalent or corresponding policy.</p>
<b>HING13: Protecting and enhancing public rights of way</b>	<p>This policy is consistent with paragraph 108 (c) of the NPPF which promotes opportunities for walking and cycling.</p> <p>Policy HING13 protects existing public rights of way</p>	<p>This policy is consistent with Policy 1 and Policy 2 of the Adopted JCS which indicate that development will minimise the need to travel and give</p>	<p>There is no specific equivalent or corresponding policy in the Adopted DMPD</p>	<p>The SSAPD does not contain an equivalent or corresponding policy</p>

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	unless they are to be unavoidably lost and requires alternatives where this occurs. The policy also sets out the criteria for enhancing rights of way.	priority to low impact modes of travel and promotes the inclusion of cycling and walking friendly measures into development .		
<b>HING14: New and existing business</b>	This policy is consistent with NPPF paragraph 85 which encourages planning policies to create the conditions in which businesses can invest expand and adapt. Policy HING14 encourages the creation of new businesses and the expansion of existing businesses subject to criteria governing impacts.	This policy is consistent with Policy 5 of the Adopted JCS which seeks to ensure that sufficient land is allocated to meet identified employment needs. Policy HING14 supports opportunities for new rural business subject to criteria.	This policy is consistent with DM Policy 2.5 Employment and Business Development which provide for or assist the creation of new employment opportunities, inward investment and / or provide for the adaptation and expansion of an existing business	This policy is consistent with Policy HIN2 of the SSAPD which allocated land at Ironside Way for employment uses.  The Neighbourhood Plan recognises this allocation.
<b>HING15: Retail And town centre</b>	This policy is consistent with NPPF paragraph 90 which encourages planning policies to define the extent of town centres and make clear the range of uses to be permitted within them.	This policy is a locally distinctive policy relating to Hingham Town centre and there is no equivalent or corresponding policy in the Adopted JCS.	This policy is consistent with Policy DM 2.4 of the DMPD which identifies Hingham as a key service centre and defines the extent of the town centre of Hingham.	This policy is consistent with the text on page 105 of the SSAPD which refers to the town centre and highlights the need for the protection and



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	Policy HING15 encourages a mix of retail , service, business and other uses within town centre including residential at first floor.		Policy HING15 uses the DMPD town centre designation as its basis.	enhancement of existing shops and services.  Policy HING15 seeks to provide this local detail.
<b>HING16: Rural Diversification</b>	<p>This policy reflects NPPF para 88, which supports the sustainable growth and expansion of all types of business in rural areas.</p> <p>Policy HING16 provides support for small scale businesses appropriate to a rural area including the re-use of farm buildings and other rural diversification.</p>	<p>This policy is consistent with Policy 5 of the Adopted JCS which seeks to ensure that sufficient land is allocated to meet identified employment needs.</p> <p>Policy HING16 supports opportunities for new rural business subject to criteria.</p>	This policy is consistent with Policy 2.2 of the DMPD which seeks to safeguard all existing employment sites for employment uses.	The SSAPD does not contain an equivalent or corresponding policy.
<b>HING17: Renewable Energy</b>	This policy is consistent with NPPF paragraph 160 which requires plans to provide a positive strategy for energy from renewable and low carbon sources.	This policy is consistent with Adopted JCS Policy 3, Energy and Water, which aims to minimise reliance on non-renewable	This policy is consistent with Policy 4.1 Renewable Energy of the DMPD which provides support for proposals for renewable energy generating development subject to	The SSAPD does not contain an equivalent or corresponding policy.

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	Policy HING17 provides support for decentralised, renewable and low carbon sources of energy subject to criteria.	<p>high-carbon energy sources and maximise the use of decentralised and renewable or low-carbon energy sources and sustainable construction technologies.</p> <p>Policy HING17 provides support for decentralised, renewable and low carbon energy sources subject to criteria.</p>	criteria which include impacts on landscape, historic assets and the amenity of residents.	
<b>HING18: Local Green Spaces</b>	This policy reflects NPPF paras 105-107 which advocates “The designation of land as Local Green Space through local and neighbourhood plans allows communities to identify and protect green areas of particular importance to them”.	The JCS does not have a specific policy that relates to Local Green Spaces however Policy 1 of the JCS does refer to “valuable open spaces”.	The DMPD contains Policy 4.4 which relates to locally important open spaces. The policy makes reference to a number of specific spaces, however none of these are within this Neighbourhood Plan area.	The SSAPD does not contain an equivalent or corresponding policy.

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	The 15 spaces proposed for protection by Policy HING18 have been assessed against the criteria in the NPPF paragraph 106.			
<b>HING19: Landscape character and important public views</b>	<p>This policy reflects NPPF paragraph 180 b) which recognises the intrinsic character and beauty of the countryside.</p> <p>The policy identifies 24 important views that it is considered should be protected from development that would have an adverse impact upon the identified view. Justification for the identified views is included in the supporting text to the policy.</p>	This policy is consistent with Policy 1 of the Adopted JCS which seeks to protect the environmental assets of the area.	<p>This policy is consistent with Policy DM 4.5 of the DMPD which requires that development should respect, conserve and where possible, enhance the landscape character of its immediate and wider environment. Development proposals that would cause significant adverse impact on the distinctive landscape characteristics of an area will be refused.</p> <p>The wording of Policy HING19 is consistent with the wording of the DMPD policy.</p>	The SSAPD does not contain an equivalent or corresponding policy

Column A <b>The Hingham Neighbourhood Development Plan Policy</b>	Column B <b>NPPF 2023</b>	Column C <b>Greater Norwich Joint Core Strategy 2014 (JCS)</b>	Column D <b>South Norfolk Development Management Policies 2015 (DMPD)</b>	Column E <b>South Norfolk Site Specific Allocations and Policies Document 2015 (SSAPD)</b>
<b>HING20: Biodiversity</b>	<p>This policy is consistent with paragraph 180 (d) of the NPPF which requires planning policies to minimise impacts on and provide net gains for biodiversity. In addition, paragraph 185 (b) of the NPPF refers to the pursuit of opportunities for measurable biodiversity net gains.</p> <p>Policy HING20 provides support for biodiversity net gain in new developments in accordance including the creation of new habitats, the repair and connection of existing networks, together with encouragement for tree planting and for the inclusion of wildlife friendly measures in new developments.</p>	<p>This policy is consistent with Policy 1 of the Adopted JCS which seeks to minimise fragmentation of habitats and seek to conserve and enhance existing environmental assets of acknowledged regional or local importance. Where harm is unavoidable, it will provide for appropriate mitigation or replacement with the objective of achieving a long-term maintenance or enhancement of the local biodiversity baseline.</p>	<p>This policy is consistent with Policy 4.8 of the DMPD which promotes the retention and conservation of significant biodiversity features including trees and hedgerows.</p> <p>Policy HING20 seeks to safeguard natural features such as trees and hedgerows and provides specific support for and guidance for new tree planting.</p>	<p>The SSAPD does not contain an equivalent or corresponding policy</p>
<b>HING21: Climate change and floodrisk</b>	<p>This policy reflects NPPF para 164 which gives significant weight to the need to support</p>	<p>This policy is consistent with Policy 1 of the Adopted JCS which seeks to</p>	<p>This policy is consistent with Policy 4.2 of the DMPD which seeks to ensure that sustainable drainage</p>	<p>The SSAPD does not contain an equivalent or corresponding policy.</p>

Column A <b>The Hingham Neighbourhood Development Plan Policy</b>	Column B <b>NPPF 2023</b>	Column C <b>Greater Norwich Joint Core Strategy 2014 (JCS)</b>	Column D <b>South Norfolk Development Management Policies 2015 (DMPD)</b>	Column E <b>South Norfolk Site Specific Allocations and Policies Document 2015 (SSAPD)</b>
	<p>energy efficiency and low carbon improvements. The policy is also consistent with NPPF paragraph 165 which encourages development to be directed away from areas of Flood risk and should not increase Flood risk elsewhere.</p> <p>Policy HING21 contains specific support for the inclusion of environmental measures within new developments to protect against flooding and pollution and also to provide biodiversity benefits.</p>	<p>address climate change and promote sustainability, by ensuring new development is designed to use resources efficiently, minimise greenhouse gas emissions and be adapted to a changing climate. Development is encouraged to be energy efficient, provide for recycling of materials, use locally sourced materials.</p> <p>wherever possible and be located to minimise flood risk, mitigating any such risk through design and implementing sustainable drainage.</p> <p>The policy is also consistent with Policy</p>	<p>measures are fully integrated within design to manage any surface water arising from development proposals, and to minimise the risk of flooding on the development site and in the surrounding area.</p> <p>Policy HING21 seeks to ensure that new development does not exacerbate existing flooding issues or cause new ones and promote the use of Sustainable Drainage Systems (SuDS).</p>	

Column A <b>The Hingham Neighbourhood Development Plan Policy</b>	Column B <b>NPPF 2023</b>	Column C <b>Greater Norwich Joint Core Strategy 2014 (JCS)</b>	Column D <b>South Norfolk Development Management Policies 2015 (DMPD)</b>	Column E <b>South Norfolk Site Specific Allocations and Policies Document 2015 (SSAPD)</b>
		3 of the JCS which indicates that infrastructure essential to the secure sustainable development includes local and renewable energy generation, water conservation measures and sustainable drainage systems (SuDS).		
<b>HING22: Dark Skies.</b>	<p>This policy is consistent with NPPF paragraph 191 c) which refers to the desire to limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes, and nature conservation.</p> <p>Policy HING22 seeks to limit the impact of lighting from new development on dark skies.</p>	There is no specific comparable policy within the Adopted JCS although Policy 2 Promoting Good Design does refer to the need to design development to avoid harmful impacts on key environmental assets.	This policy is consistent with DMPD Policy 3.13: Amenity, noise and quality of life which seeks to protect residential amenity against light pollution.	The SSAPD does not contain an equivalent or corresponding policy.

## Emerging Policy Documents (Table 2)

<b>Hingham Neighbourhood Plan Policy</b>	<b>GNLP Main Modifications October 2023</b>
<b>HING1: Sustainable Development</b>	<p>This policy is consistent with the GNLP vision to 2038 which covers the environmental, economic and social strands of sustainable development in the form of economy, community and homes, infrastructure and environment.</p> <p>Policy HING1 provides a localised context of sustainable development for Hingham .</p>
<b>HING2: Location and scale of new housing</b>	<p>This policy is consistent with GNLP Policy 1 which sets out the settlement hierarchy. In addition, Policy 7.3 of the GNLP identifies Hingham as a Key Service Centre and makes an allocation for 80 new dwellings at Norwich Road and for 2.2 hectares of Employment Land at Ironside Way. In addition, the policy indicates that key service centres will continue to be developed to enhance their function as places to live and providers of employment and services to serve the settlement and its hinterland, with significant levels of development expected to take place in the majority of larger parishes.</p> <p>Policy HING2 recognises the proposed allocations in the emerging Local Plan and also makes provision of windfall developments within the settlement boundary subject to criteria relating to form and character, landscape and nature conservation considerations.</p>
<b>HING3: Housing Mix</b>	<p>This policy is consistent with GNLP Policy 5 – Homes, which requires proposals for housing to contribute to a variety of homes in terms of tenure and cost. New homes should provide for a good quality of life in mixed and inclusive communities and major development proposals should provide adaptable homes to meet varied and changing needs. The GNLP policy provides for a range of types of housing including affordable housing, specialist housing and self and custom build.</p> <p>Policy HING3 also provides for a range of house types and tenures and is based on evidence from the Housing Needs Assessment and from community preferences stated through consultation</p>
<b>HING4: Design</b>	<p>This policy is consistent with GNLP Policy 2 – Sustainable Communities, which requires new development to create beautiful, well designed places, which respect the character of the local area and seek to enhance it through appropriate design.</p> <p>Policy HING4 is informed by specific Design Guidance and Codes, which is a supporting document to the Plan.</p>

<b>Hingham Neighbourhood Plan Policy</b>	<b>GNLP Main Modifications October 2023</b>
<b>HING5: Historic Environment</b>	<p>This policy is consistent with GNLP Policy 3 – Environmental Protection and Enhancement, which requires development proposals to enhance the built and historic environment through avoiding harm to designated and non-designated heritage assets and historic character including their setting unless taking into account their level of significance.</p> <p>Policy HING5 identifies a number of Non- Designated Heritage Assets within the Neighbourhood Plan area and supports the Conservation Area.</p>
<b>HING6: Community Infrastructure</b>	There is no specific GNLP policy that refers to the protection of existing community facilities. Policy 4 of the GNLP – Strategic Infrastructure, emphasises the need to support the timely delivery of infrastructure to support growth and Policy 2 Sustainable Communities promotes an inclusive, resilient and safe community through the provision of facilities and services commensurate with the scale and type of the development; and the design and layout of development.
<b>HING7: New sports provision</b>	This policy is broadly consistent with Policy 2 Sustainable Communities which promotes an inclusive, resilient and safe community through the provision of facilities and services commensurate with the scale and type of the development; and the design and layout of development and which seeks to create and contribute to multi-functional green infrastructure links, whether provided on-site or off-site, including through landscaping, street trees and other tree planting, to make best use of site characteristics and integrate into the surroundings, having regard to relevant taking account of local green infrastructure strategies and delivery plans
<b>HING8: Allotments and green spaces</b>	This policy is broadly consistent with Policy 2 Sustainable Communities which seeks to create and contribute to multi-functional green infrastructure links, whether provided on-site or off-site, including through landscaping, street trees and other tree planting, to make best use of site characteristics and integrate into the surroundings, having regard to relevant taking account of local green infrastructure strategies and delivery plans
<b>HING9: Allocation of land for community uses</b>	This is a site specific policy which is locally distinctive and therefore there is no corresponding or equivalent GNLP policy.
<b>HING10: Town Centre parking</b>	This is policy which is locally distinctive and therefore there is no corresponding or equivalent GNLP policy.
<b>HING11: Parking in new developments</b>	This policy is consistent with GNLP Policy 2 Sustainable Communities which ensure safe, and convenient and sustainable access for all, including by non-car modes, to on-site and local services and facilities including such as schools, health care, shops, recreation/ leisure/ community/ faith facilities and libraries;



Hingham Neighbourhood Plan Policy	GNLP Main Modifications October 2023
	encourage walking, cycling and public transport through the layout of development; and integrate parking to avoid it dominating the streetscape or being a hazard.
<b>HING12: Improving access and safety</b>	There is no specific GNLP policy that is comparable to Policy HING12, however GNLP Policy 4 – Strategic Infrastructure does refer to “significant improvements to the bus, cycling and walking networks to promote modal shift”.
<b>HING13: Protecting and enhancing Public Rights of Way</b>	This policy is consistent with GNLP Policy 2 Sustainable Communities which seeks to ensure safe, and convenient and sustainable access for all, including by non-car modes, to on-site and local services and facilities including such as schools, health care, shops, recreation/ leisure/community/faith facilities and libraries; encourage walking, cycling and public transport through the layout of development.
<b>HING14: New and existing business</b>	This policy is consistent with GNLP Policy 6 – The Economy which seeks to ensure that sufficient employment land is allocated in accessible locations to meet identified need and provide for choice. In addition, land identified for employment uses will only be considered for other uses that are ancillary to and supportive of its employment role.
<b>HING15: Retail and town centre</b>	This policy is a locally distinctive policy relating to Hingham Town centre and there is no equivalent or corresponding policy in the GNLP.
<b>HING16: Rural diversification</b>	<p>The policy is consistent with GNLP Policy 7. 3 The Key Service Centres, which indicates that these centres (including Hingham) will continue to be developed to enhance their function as places to live and providers of employment and services to serve the settlement and its hinterland. In addition , GNLP policy 6 The Economy, provides support for rural enterprises through the conversion of rural buildings, the development and diversification of agricultural and other land based rural businesses and well-designed new build. If new build development is proposed to meet local business and community needs in rural areas the use of previously developed land and sites that are physically well-related to existing settlements should be encouraged where suitable opportunities exist. For sites beyond existing settlements and in locations not well served by public transport then development should be well designed and sensitive to its surroundings, should not have an unacceptable impact on local roads and should exploit any opportunities to make the location more sustainable.</p> <p>Policy HING16 encourages new businesses that are appropriate to a rural area particularly those that involve the re-use of a redundant building.</p>

<b>Hingham Neighbourhood Plan Policy</b>	<b>GNLP Main Modifications October 2023</b>
<b>HING17: Renewable Energy</b>	<p>This policy is consistent with GNLP Policy 2, Sustainable Communities which supports proposals for free standing decentralised, renewable and/or low carbon energy networks, except for wind energy schemes, subject to the acceptability of wider impacts.</p> <p>Policy HING17 provides support for proposals in appropriate locations using similar criteria.</p>
<b>HING18: Local Green Spaces</b>	<p>There is no specific GNLP policy that refers to local green spaces.</p>
<b>HING19 Landscape character and important public views</b>	<p>This policy is consistent with GNLP Policy 3 – Environmental Protection and Enhancement, which requires ‘development proposals to enhance the natural environment whilst avoiding harm to designated and non-designated assets of the natural environment.</p> <p>Policy HING19 identifies 24 important views that it is considered should be protected from development that would have an adverse impact upon the identified view. Justification for the identified views is included in the supporting text to the policy.</p>
<b>HING20: Biodiversity</b>	<p>This policy is consistent with GNLP Policy 3 – Environmental Protection and enhancement which requires development proposals enhance the natural environment whilst avoiding harm to designated and non-designated assets of the natural environment. In addition, development will deliver net biodiversity gain through the provision of on-site or off-site natural features, creating new or enhancing existing green infrastructure networks that have regard to and help to achieve the local green infrastructure strategies. It should be demonstrated that the gain to biodiversity is a significant enhancement (at least a 10% gain) compared to the existing situation.</p> <p>Policy HING20 seeks to protect existing ecological features and networks and supports proposals that provide a net gain in biodiversity. In addition, the policy encourages the incorporation of features and planting that will add value to wildlife value.</p>
<b>HING21: Climate change and floodrisk</b>	<p>This policy is consistent with GNLP Policy 2 – Sustainable Communities, which seeks to avoid locating inappropriate development in areas at risk of flooding by applying the sequential and exceptions tests and ensuring that flood risk is not increased elsewhere. Sustainable drainage systems should be incorporated unless there is clear evidence that this would be inappropriate.</p> <p>Policy HING21 seeks to ensure that new development does not exacerbate existing flooding issues or create new ones and encourages the use of sustainable drainage systems</p>

<b>Hingham Neighbourhood Plan Policy</b>	<b>GNLP Main Modifications October 2023</b>
<b>HING22: Dark skies</b>	There is no equivalent or corresponding policy relating to light pollution of dark skies in the GNLP.

## Compliance with new Basic Condition e) a) i) and ii)

4.8 The Levelling Up and Regeneration Act introduced a replacement Basic Condition:

- e) a) the making of the order/Plan would not have the effect of preventing development from taking place which
- (i) is proposed in the development plan for the area of the authority (or any part of that area), and
- (ii) if it took place, would provide housing.

4.9 The Adopted Development Plan for the area made provision for approximately 100 dwellings at Hingham (JCS). Subsequently, the South Norfolk Site Specifics Plan (SSAPDPD) made provision for those dwellings in the form of a housing site of approximately 95 dwellings south of Norwich Road under Policy HIN1. This site has been developed and is known locally as The Hops. In addition, the SSAPDPD allocated a site for employment development (B1/B2/B8) of 2.24 hectares north of Norwich Road and adjacent to the existing employment area at Ironside Way. This site is yet to fully come forward for development.

4.9 Furthermore the emerging GNLP makes a further housing allocation south of Norwich Road adjacent to the previous JCS allocation (The Hops) for 80 dwellings and also reallocates the employment site from the JCS.

4.10 In order to be compliant with the new Basic Condition, the policies of the Hingham Neighbourhood Plan should not prevent either of those emerging allocations in the GNLP from coming forward. Whilst the Neighbourhood Plan does not make any specific allocations for housing or employment development above and beyond those contained in the emerging GNLP, neither do any of the policies prevent those allocations from coming forward. The Neighbourhood Plan at paragraphs 3.2 to 3.12 acknowledges the proposed allocations and states that whilst it makes no additional allocations, Neighbourhood Plan policies will concentrate on managing the impacts of the proposed growth and ensuring that community benefits are realised.

4.11 Furthermore, Policy HING2 of the Neighbourhood Plan makes specific reference to future growth including specific allocations made in the Local Plan and Policy HING14 expresses support for new and existing businesses including expansion of existing business.

4.12 Policy HING19 Landscape Character and Important public views identifies a number of views within the parish. Where new development is proposed within (or would affect) a view identified by the policy, the expectation is that development should take account of that view and that developments which would unacceptably adversely impact upon that view should not be permitted. The policy is not blanket impediment to development however, it does require that schemes are carefully and sensitively designed.

4.13 In their response to the Pre-Submission (Regulation 14) consultation, South Norfolk Council raised the possibility that the policy and View 3 ((View towards Hingham Church looking west from Norwich Road) may act to prevent the effective delivery of the GNLP allocation at Norwich Road. Concerns were also raised in respect to of View 2 (Views towards Hingham Church looking west from Seamere Road), however South Norfolk Council considered that the view could be kept but that there needed to be some recognition that there may be some impact from the allocated development. In

considering responses to the Pre-Submission Consultation, the Steering Group/Town Council, considered that Views 1 and 2 would be unaffected by the delivery of the GNLP site and were of the view that it was possible for development on the GNLP proposed site to take account of View 3 and that this would be aided by the shape of the landscape in this location, a position which was largely achieved by the development of HOPS1 . The critical factor here is the long views of the Church tower from Norwich Road, which development could be encouraged to take account of. The Design and Access statement [https://info.southnorfolkandbroadland.gov.uk/online-applications/files/76550A49C615DB662A4F0305E658F5FB/pdf/2014\\_2322-DESIGN\\_ACCESS\\_STATEMENT-1187023.pdf](https://info.southnorfolkandbroadland.gov.uk/online-applications/files/76550A49C615DB662A4F0305E658F5FB/pdf/2014_2322-DESIGN_ACCESS_STATEMENT-1187023.pdf) submitted to accompany the planning application for HOPS1, notes the importance of the view of the church (Para 1.2.2 and Appendix 2 page 23 onwards). It is therefore considered that Policy HING19 would not act to hinder the development of the proposed site.

- 4.14 Therefore, it is concluded that the Hingham Neighbourhood Plan complies with this Basic Condition.

## 5. Compliance with Basic Condition d)

- 5.1 The NPPF 2023 states that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.<sup>1</sup> The appraisal of the Hingham Neighbourhood Development Plan policies against NPPF policies presented above, demonstrates how policies in the Neighbourhood Plan comply with the NPPF and therefore deliver sustainable development.
- 5.2. The NPPF states that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives).

### **Economic, social, and environmental objectives**

- 5.3 These objectives give rise to the need for the planning system to perform a number of roles as defined by the NPPF and set out below.
- 5.4 The objectives and policies contained within the Hingham Neighbourhood Plan contribute towards each of these three objectives and cumulatively contribute to the achievement of sustainable development. How they achieve this is summarised below. Unsurprisingly, there is a degree of cross-over between policies and many contribute to more than one of the sustainable development objectives e.g. **HING4 Design** which contributes to both social and environmental objectives.
- 5.5 The plan has been formulated with Sustainable Development at its heart. The embedded theme of sustainability is reflected in the overarching vision for the plan, which reflects the three distinct strands of sustainability – economic, environmental, and social. In addition, **Policy HING1** has been specifically devised to relate those three strands of sustainability to a Hingham context.

### **Vision**

*The parish of Hingham will continue to be a thriving community and attractive market town with a distinctive Georgian centre, within a beautiful working rural landscape. It will have a range of housing types and tenures to suit all ages and incomes, supported by community infrastructure and employment opportunities. Housing will be integrated and reinforce the existing character of the parish. The town's local heritage and green spaces will be protected, whilst maintaining connections with its rural environment. Development will be sustainable, well designed, and suitably located, with sufficient public and private parking. The area will continue to be a desirable place to live, work and visit for current and future generations.*

- 5.6 This table below helps to demonstrate the Plan's comprehensive contribution to sustainable development.

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<sup>1</sup> Resolution 42/187 of the United Nations General Assembly.

NPPF Sustainable Development	Contribution through The Hingham Neighbourhood Plan Objectives and Policies
<p><b>NPPF 2023</b>  <b>An economic objective:</b> to help build a strong, responsive, and competitive economy, by ensuring that sufficient land of the right types is available in the right places, and at the right time to support growth, innovation, and improved productivity; and by identifying and co-ordinating the provision of infrastructure.</p>	<p><b>Objective 2:</b> To protect and enable a diverse range of accessible and suitable amenities to fulfil the current and future needs of Hingham.</p> <p><b>Objective 4:</b> To sustain and support the growth of new and existing businesses that are appropriate in size and location, to enhance employment opportunities in the parish, including home working.</p> <p><b>Policy HING1: Sustainable Development.</b> This policy relates the three sustainable objectives to the local Hingham context.</p> <p><b>Policy HING2: Location and scale of new housing</b>  This policy seeks to focus new development within the existing settlement boundary or on identified sites. Future development beyond that should be located towards the north and west of the town close to the town centre facilities.</p> <p><b>Policy HING6: Community Infrastructure.</b> This policy seeks to ensure that the infrastructure required to support new growth is properly identified and in place. The policy also seeks to protect existing community facilities from development that would adversely affect their community value.</p> <p><b>Policy HING14: New and existing business.</b> This policy provides support for new employment development and the expansion of existing businesses.</p> <p><b>Policy HING15: Retail and Town Centre.</b> This policy provides for development in the town centre which would contribute to its vitality and viability and encourages the retention of retail uses in the town centre.</p> <p><b>Policy HING16: Rural Diversification.</b> This policy provides support for the re-use of redundant agricultural buildings for employment and business uses and supports farm diversification.</p> <p><b>Policy HING17: Renewable Energy.</b> This policy provides support for appropriate renewable energy and low carbon development.</p>
<p><b>NNPF 2023</b>  <b>A social objective:</b> to support strong, vibrant, and healthy communities by ensuring that a sufficient number and range of</p>	<p><b>Objective 1:</b> To ensure a mix of sustainable development which meets the needs of the community, is well-designed and suitably located, complementing the distinct heritage and character of Hingham and takes into account the impacts of climate change.</p>

NPPF Sustainable Development	Contribution through The Hingham Neighbourhood Plan Objectives and Policies
<p>homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful, and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and</p>	<p><b>Objective 2:</b> To protect and enable a diverse range of accessible and suitable amenities to fulfil the current and future needs of Hingham.</p> <p><b>Objective 3:</b> To ensure pedestrian and vehicle routes, including parking, are safe, sustainable, integrated and adequate, to serve the needs of Hingham residents, businesses and visitors.</p> <p><b>Policy HING1: Sustainable Development.</b> This policy relates the three sustainable objectives to the local Hingham context and supports sustainable development.</p> <p><b>Policy HING2: Location and scale of new housing</b> This policy seeks to focus new development within the existing settlement boundary or on identified sites. Future development beyond that should be located towards the north, south and west of the town close to the town centre facilities.</p> <p><b>Policy HING3: Housing Mix.</b> This policy supports new housing development that will meet the needs of the local community. It is supported by the Housing Needs Assessment.</p> <p><b>Policy HING4: Design.</b> This policy aims to create a well-designed and attractive town and provides detailed guidance on a number of design elements. It is supported by the Design Guidance and Codes.</p> <p><b>Policy HING5: Historic Environment.</b> This policy supports development which respects the historic fabric and preserves and enhances the character and appearance of the Conservation Area. This policy identifies 14 Non-Designated Heritage Assets that are considered to make an important contribution to the local character.</p> <p><b>Policy HING6: Community Infrastructure.</b> This policy seeks to ensure that the infrastructure required to support new growth is properly identified and in place. The policy also seeks to protect existing community facilities from development that would adversely affect their community value.</p> <p><b>Policy HING7: New sports provision.</b> This policy supports the provision of new sports facilities in the town particularly sports pitch provision and all weather games areas.</p>



NPPF Sustainable Development	Contribution through The Hingham Neighbourhood Plan Objectives and Policies
	<p><b>Policy HING8: Allotments and greenspaces.</b> This policy provides support for the provision of new allotments, children's play areas, community orchards and new wildlife areas.</p> <p><b>Policy HING9: Allocation site for community uses.</b> This policy allocates a site of approximately 10 hectares at Ladies Meadow, for community uses to include a new car park, an extension to the existing ceremony and open space.</p> <p><b>Policy HING10: Town Centre Car parking.</b> This policy provides criteria for assessing any application for new public car park in the town.</p> <p><b>Policy HING11: Parking in new developments.</b> This policy provides detailed guidance on the design of parking in new developments including the location and layout of communal parking areas.</p> <p><b>Policy HING12: Improving access and safety.</b> This policy encourages the maximisation of opportunities for sustainable transport including walking and cycling.</p> <p><b>Policy HING13: Protecting and enhancing public rights of way.</b> This policy protects public rights of way from development that may adversely affect them and provides guidance on enhancements to existing routes.</p> <p><b>Policy HING18: Local Green Spaces.</b> This policy identifies 15 green spaces that are demonstrably special to the local community.</p> <p><b>Policy HING21: Climate change and flood risk.</b> This policy encourages measures which would increase the energy efficiency and the conservation of water quality and quantity. The policy seeks to prevent exacerbation of existing drainage and flooding problems caused through new development and encourages the use of sustainable drainage methods.</p> <p><b>Policy HING22: Dark Skies.</b> This policy encourages the preservation of dark skies within the parish and seeks to minimise light pollution.</p>
<p><b>NPPF 2023</b>  <b>An environmental role:</b> to protect and enhance our natural, built, and historic</p>	<p><b>Objective 1:</b> To ensure a mix of sustainable development which meets the needs of the community, is well-designed and suitably located, complementing the distinct heritage</p>

NPPF Sustainable Development	Contribution through The Hingham Neighbourhood Plan Objectives and Policies
<p>environment, including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.</p>	<p>and character of Hingham and takes into account the impacts of climate change.</p> <p><b>Objective 5:</b> To protect and enhance existing create green spaces and valued views within and around the town, maintaining the rural setting of Hingham and the biodiversity it supports.</p> <p><b>Policy HING4: Design.</b> This policy aims to create a well-designed and attractive town and provides detailed guidance on a number of design elements. It is supported by the Design Guidance and Codes.</p> <p><b>Policy HING5: Historic Environment.</b> This policy supports development which respects the historic fabric and preserves and enhances the character and appearance of the Conservation Area. This policy identifies 14 Non-Designated Heritage Assets that are considered to make an important contribution to the local character.</p> <p><b>Policy HING8: Allotments and greenspaces.</b> This policy provides support for the provision of new allotments, children's play areas, community orchards and new wildlife areas.</p> <p><b>Policy HING17: Renewable Energy.</b> This policy provides support for appropriate renewable energy and low carbon development</p> <p><b>Policy HING18: Local Green Spaces.</b> This policy identifies 15 green spaces that are demonstrably special to the local community</p> <p><b>Policy HING19: Landscape character and important public views.</b> This policy identifies 24 important views considered to be of environmental importance to the community.</p> <p><b>Policy HING20: Biodiversity.</b> This policy seeks a net gain for biodiversity from new developments and encourages tree planting and the incorporation of wildlife friendly measures into new developments .</p> <p><b>Policy HING21: Climate change and flood risk.</b> This policy encourages measures which would increase the energy efficiency and the conservation of water quality and quantity. The policy seeks to prevent exacerbation of existing drainage and flooding problems caused through</p>

NPPF Sustainable Development	Contribution through The Hingham Neighbourhood Plan Objectives and Policies
	<p>new development and encourages the use of sustainable drainage methods.</p> <p><b>Policy HING22: Dark Skies.</b> This policy encourages the preservation of dark skies within the parish and seeks to minimise light pollution.</p>

## 6 Compatibility with Basic Condition f)

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- 6.1 The statement below demonstrates how the Hingham Neighbourhood Development Plan does not breach and is compatible with all relevant EU obligations. The United Kingdom formally left the European Union on the 31<sup>st</sup> of January 2020, which was followed by an 11-month transition period that expired on 31<sup>st</sup> December 2020. Basic Condition (f) of the Neighbourhood Plan Regulations 2012 requires that the making of a Neighbourhood Plan should not breach nor be incompatible with European Obligations. These include those relating to environmental matters such as Habitats and Species.
- 6.2 Strategic Environmental Assessment (SEA) and Habitats Regulation Assessment (HRA) are required to be carried out with regard to the Conservation Objectives of any European Protected Wildlife Sites deemed to be within a relative proximity of the Hingham Neighbourhood Plan Area. There are no designated sites within the Hingham Neighbourhood Area, however the majority of the Hingham parish lies within the SSSI Impact Risk Zones for Sea Mere SSSI and Scoulton Mere SSSI.
- 6.3 South Norfolk District Council recommends that the Screening processes in respect of both SEA and HRA be undertaken just prior to Pre-Submission stage. A Screening Report was produced in May 2023 and the Screening Assessments were carried out by South Norfolk Council during July 2023 when the three Environmental Bodies were consulted.
- 6.4 The key question in the SEA screening process for the Hingham Neighbourhood Plan was whether the plan would be likely to have a significant effect on the environment. The relevant steps for determining this are set out in Annex II of the SEA Directive<sup>2</sup>. As a result of the findings of the screening process set out in the SEA Screening Report, it is concluded in Section 6, Screening Outcome, that the Hingham Neighbourhood Plan is unlikely to have significant environmental effects and a full SEA is not required. Of the two statutory consultation bodies that responded to the screening consultation - Historic England and Natural England are in agreement with the screening outcomes of the report, in accordance with regulation 9(2) of the Environmental Assessment of Plans and Programmes Regulations 2004.
- 6.5 The Screening report was subsequently updated, and the Natural England and Historic England responses are shown in **Appendix B** of the report. The outcome of the SEA screening process concludes that the Hingham Neighbourhood Plan is compatible with and does not breach EU Obligations. The SEA Screening Report is featured alongside this Basic Conditions Statement as a Submission Document.

### Human rights

- 6.6 In addition the Neighbourhood Plan has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act 1998. The accompanying Consultation Statement sets out the process followed in terms of community involvement. The Neighbourhood Plan is seeking to protect both non-designated heritage assets and local green spaces, some

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<sup>2</sup> The SEA Directive (Directive 2001/42/EC)

of which are in private ownership. Private owners have been notified of the contents of the plan and many have responded through the consultation processes.

## 7 Compatibility with Basic Condition (g)

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- 7.1 An additional basic condition is prescribed under Regulation 32 of the Neighbourhood Planning (General) Regulations 2012 as follows:

*“The making of the Neighbourhood Development Plan is not likely to have any significant effect on a European Site (as defined in the Conservation of Habitats and Species Regulations 2010 (2)) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c) Regulations 2007 (3)), (either alone or in combination with other plans and projects)”.*

- 7.2 The purpose of the Habitat Regulations Assessment (HRA) is therefore to ensure the protection of European (Natura 2000) sites. These sites are designed to form an ecologically coherent network of designated sites across the whole of Europe. Referred to as ‘European Designated Sites,’ Natura 2000 sites include Special Protection Areas (SPAs) and Special Areas for Conservation (SAC).

- 7.3 An HRA Screening Report was produced by South Norfolk Council in May 2023. Consultation on the HRA Screening Report was carried out by South Norfolk Council in June 2023 with Natural England. The screening assessment suggested that there will be no likely significant effects of the Hingham Neighbourhood Plan on any designated sites within the Neighbourhood Area, and therefore a full Appropriate Assessment was not required. Natural England responded indicating that the body felt there are unlikely to be any significant environmental effects from the proposed plan and agreed with the conclusion that further assessments were not required.

- 7.4 It is therefore considered by the Town Council, as the relevant Qualifying Body, that the Neighbourhood Plan meets the additional prescribed basic condition.