



**East Woodhay Neighbourhood Plan 2022– 2029**  
**Basic Conditions Statement**

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## **1. Introduction**

1.1 This basic conditions statement has been prepared by East Woodhay Parish Council ('the Parish Council') to accompany its submission of the East Woodhay Neighbourhood Plan ('the Neighbourhood Plan') to the local planning authority, Basingstoke & Deane Borough Council ('the Borough Council'), under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (as amended) ('the Regulations').

1.2 The statement addresses each of the "Basic Conditions" required of the Regulations and explains how the submitted Neighbourhood Plan meets the requirements of paragraph 8 of Schedule 4B to the 1990 Town & Country Planning Act. The statement explains how the Neighbourhood Plan:

- a) meets the legal requirements in terms of its content and coverage (Section 2),
- b) has had appropriate regard to national policy and is in general conformity with the strategic policies in the development plan for the area (Section 3),
- c) will contribute to the achievement of sustainable development (Section 4),
- d) meets European Obligations (Section 5),
- e) adheres to the Conservation of Habitats and Species and Planning Regulations (Section 6).

1.3 The Neighbourhood Plan has tried to avoid stating policies that duplicate the local development plan or national policies that are already being used to determine planning applications. The policies defined within the Neighbourhood Plan seek to support and deliver national planning objectives and complement Local Plan policies by defining locally distinctive elements. There are occasions where the Local Plan policies have been identified as being so important to the community from the consultation process, that specific elements of local policies have been retained within the Neighbourhood Plan (for example Traffic and Transport policy TT1 and Affordable Housing).

## **2. Legal Requirements**

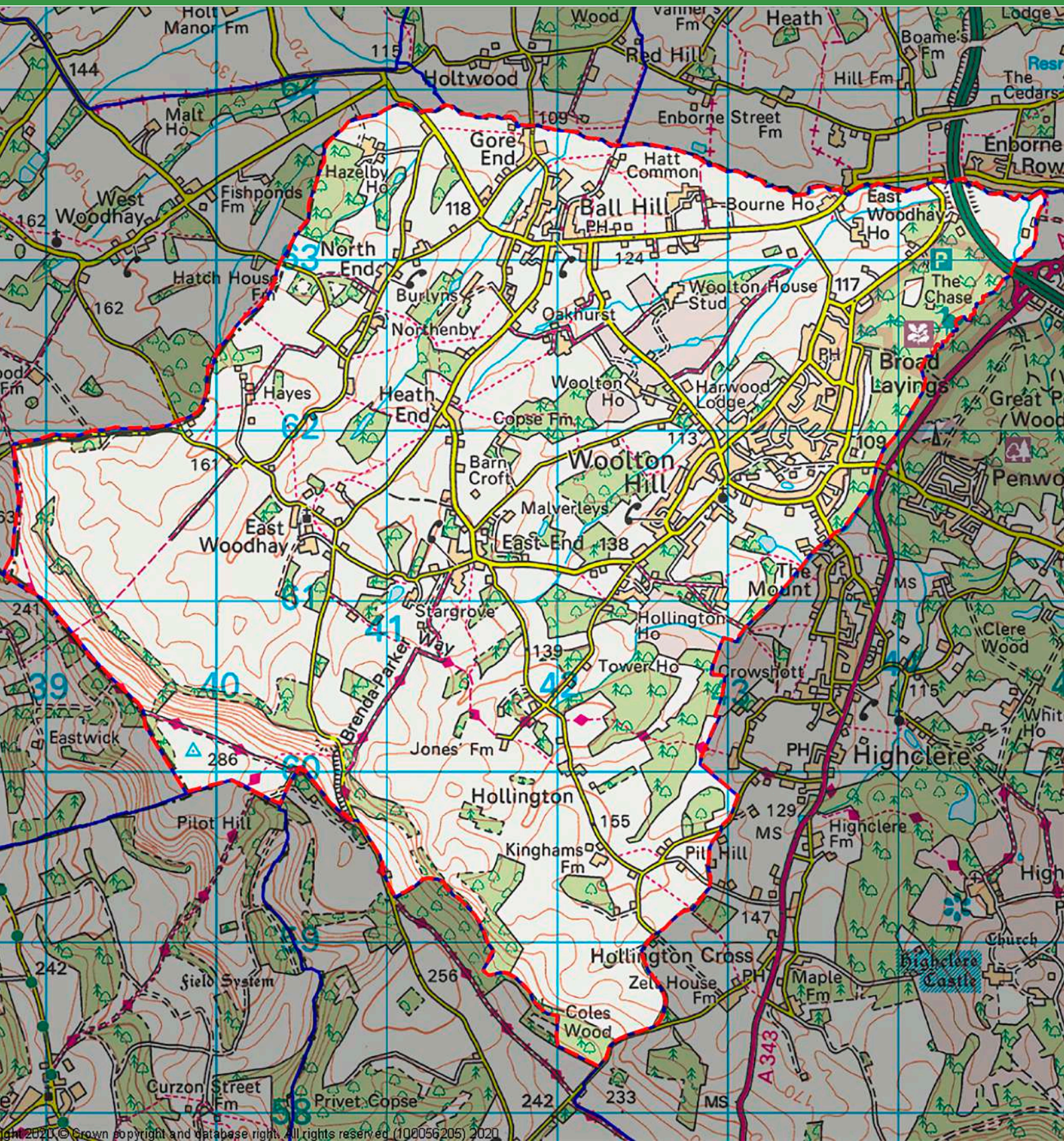
2.1 The Neighbourhood Plan has been prepared by the Parish Council, a qualifying body, for the Neighbourhood Area, which is contiguous with the boundary of the Parish of East Woodhay and which was designated by the District Council on 5<sup>th</sup> November 2013. The Parish Council has consulted the local community, the statutory bodies and other stakeholders throughout the preparation of the Neighbourhood Plan, as required by the Regulations. This is detailed in the Consultation Statement, which is published separately as part of the submission documentation.

See Map 1 for the Neighbourhood Plan Designated Area on the following page.

2.2 Following the update of the Neighbourhood Plan after Regulation 14 Consultation feedback, the Parish Council agreed submission of the Neighbourhood Plan on 31<sup>st</sup> January 2022.

# Map 1

## East Woodhay Neighbourhood Plan Designated Area



2.3 The policies described in the Neighbourhood Plan relate to the development and use of land in the designated Neighbourhood Area only. They do not relate to “excluded development”, as defined by the Regulations.

2.4 The plan period of the Neighbourhood Plan is from 2022 to 2029, which corresponds with the potential Neighbourhood Plan referendum date to the end of the present Basingstoke & Deane adopted Local Plan. The Parish Council recognises that Basingstoke and Deane is in the process of creating an updated Local Plan and that the Neighbourhood Plan will need to be modified in line with this once adopted.

### **3. Conformity With National Planning Policy and the Local Development Plan**

3.1 The Neighbourhood Plan has been prepared with full regard to national policies as set out in the National Planning Policy Framework (NPPF) and is mindful of the Planning Practice Guidance (PPG) in respect of formulating Neighbourhood Plans. The NPPF was first published in 2012 and this and subsequent revisions have been consulted throughout the generation of the Neighbourhood Plan. The Neighbourhood Plan has directly responded to guidance on neighbourhood planning within the NPPF. In addition, throughout the Neighbourhood Plan process the Borough Council has been consulted for advice and guidance, to ensure compliance with the NPPF and the adopted Local Plan. Following Reg 14 consultation the Borough Council stated that it considered the Neighbourhood Plan had regard to the NPPF and national guidance. A few limited areas of tension in relation to the specific wording of certain policies were highlighted and these have been resolved using guidance from the Borough Council.

3.2 The Parish Council believes the policies of the Neighbourhood Plan are in general conformity with the policies of the present Basingstoke and Deane Local Development Plan. As stated above, guidance on compliance to the Local Plan has been sought throughout the process with regular consultation with the Borough Council. Following Reg 14 consultation the Borough Council confirmed that it considered the Neighbourhood Plan being in general conformity with the strategic policies of the Local Development Plan. Furthermore, it recognised and supported that the Neighbourhood Plan takes the opportunity to set out locally specific policy requirements in relation to a range of planning issues. It was highlighted that further consideration should be given to the relationship between some policies and those contained in the Local Plan. These have been addressed and incorporated in the present submission Neighbourhood Plan.

3.3 The Parish Council believes the Neighbourhood Plan is planning positively to support the strategic development needs of the Parish, as framed by the NPPF and the adopted Local Plan. The Neighbourhood Plan presents a vision, objectives and policies for the Parish that reflect the desires of the majority of the local community for the kind of place that they wish the Parish to be in the coming years.

3.4 The Parish Council recognises that the Neighbourhood Plan has a number of different audiences. In particular, it felt that it is important that the reasoning behind the policies is transparent and understood by the local community. Therefore, within the

Neighbourhood Plan the relevant NPPF and Local Plan policies that have guided the policies and statements have been clearly stated and outlined using specific quotations.

3.5 The Neighbourhood Plan has been prepared and will be examined prior to an update of the adopted Local Plan. To anticipate any likely impacts of future policies, the Neighbourhood Plan Steering Group has been actively involved in the consultation process for the emerging update of the Local Plan. The Neighbourhood Plan process has incorporated the results of this collaboration into the document and identified any Neighbourhood Plan gaps that will be likely closed with the future updated Local Plan. For example, during Reg 14 consultation the local community identified a gap in the Neighbourhood Plan with few policies covering the climate emergency. This was because the adopted Local Plan does not effectively cover this area and therefore any Neighbourhood Plan policies would not be compliant with the Local Plan. However, the updated Local Plan will include new climate policies. The Parish Council has committed to review and update the Neighbourhood Plan in line with these policies.

3.6 The adopted Local Plan defines a Settlement Policy Boundary for Woolton Hill. The Local Plan required the Parish to provide 10 dwellings during the period of the plan. During this time 65 dwellings have been granted planning permission within or adjacent to the Settlement Policy Boundary. The Borough Council considers that the housing requirement has been met (as monitored through the Authority Monitoring Report). The Neighbourhood Plan recognises that the Parish has achieved its housing target and therefore does not allocate any further sites for development. Furthermore, working in collaboration with the Borough Council likely future housing allocations for the Parish, to be defined in the future updated Local Plan, have been discussed. At the time of writing, the extra housing delivered by the Parish over and above the target has been recognised by the Borough Council. Therefore, the future planned allocation in the emerging update of the Local Plan is, at present, zero.

3.7 The NPPG highlights that in considering whether a Neighbourhood Plan policy is in general conformity with the NPPF and Local development Plan, a view should be taken on if the policies support and uphold the general principle of the strategic policy and the degree, if any, of conflict and the rationale and evidence to justify that approach.

The following considers each policy in turn, against the relevant national and local policies for that particular topic.

### **Vision and Objective Compliance**

The Neighbourhood Plan includes a positive Vision and Objectives for the Parish and these form the structure of the Neighbourhood Plan and its policies. The Parish Council regards the submitted Neighbourhood Plan as aspirational and deliverable. The policy wording has the aim of being clear and unambiguous with the rationale behind it explained in the main

body of the text. The original Neighbourhood Plan policies, their rationale and deliverability were fully consulted with the community and statutory bodies during Reg 14 consultation. This Submitted Neighbourhood Plan has been updated in line with Reg 14 consultation feedback.

This conforms with section 3, para.16 of the NPPF that plans should:

- be prepared positively, in a way that is aspirational, but deliverable;
- contain policies that are clearly written and unambiguous;
- serve a clear purpose.

## Overview of Policy Compliance

*(Policy numbers below correlate to the numbers within the Neighbourhood Plan Submission Plan)*

### *Policy NE1: Protecting the Landscape*

*7.10 Any proposals for development in the Parish should recognise and seek to conserve and enhance the natural landscape, biodiversity and local character of the Parish. As such, the relevant policies within the current North Wessex Downs AONB Management Plan, 2019-2024 must be followed. Future equivalent and succeeding AONB management documents must also be followed (as the Neighbourhood Plan covers the period beyond the present AONB Management Plan period). These include the following typical landscapes within the Parish for protection (as categorised in the Basingstoke and Deane Landscape Character Assessment May 2021).*

- a) The distinctive chalk Scarp area (the “Clere Scarp Character Area” as categorised in the Basingstoke and Deane assessment) in the south of the Parish, creating a dramatic, recognisable horizon, with a high portion of woodland (oak and beech) interspersed with chalk grassland. This area constitutes all the Key Views. (Policy NE2).*
- b) The Lowland Mosaic - a mosaic of established broad leaved woodlands and hedgerows, mixed farmland and paddocks (“Highclere and Burghclere Character Area” as categorised in the Basingstoke and Deane assessment).*

*7.11 Planting schemes should reflect native species found locally within the Parish, especially oak and beech trees and these should be planted in groups rather than linear arrangements, with the exception of tree lined streets within new developments (NPPF July 2021 paragraph 131) or along existing streets.*

*7.12 Buildings should be sited so that they are viewed to sit below the ridgelines and scarps of the Downs and should maximise the use of existing and enhanced tree cover. Visual impact of any development on the sloping face of the Downs should be carefully controlled, due to the potential for adverse visual impact within the Parish.*

### **CONFORMITY WITH NATIONAL PLANNING POLICY**

In line with specific criteria set out in the NPPF this policy seeks to protect and enhance valued landscapes, sites of biodiversity value, recognise "... the intrinsic character and beauty of the countryside," (paras. 174a and b) and "... draw on the contribution made by the historic environment to the character of the place." (Para.190d). The policy also seeks to conserve and enhance landscape and scenic beauty of the Parish, the overwhelming majority of which forms part of the North Wessex Downs Area of Outstanding Natural Beauty (para. 176).

### **CONFORMITY WITH THE LOCAL DEVELOPMENT PLAN**

The policy is consistent with, and supplements, Local Plan Policy EM1 which states that, "Development proposals must respect, enhance and not be detrimental to the character or visual amenity of the landscape likely to be affected..."

*(Policy numbers below correlate to the numbers within the Neighbourhood Plan Submission Plan)*

#### *Policy NE2: Key Views*

*7.18 Selected but not exclusive Key Views are identified in the Maps 3 to 7. For further assessment of Key View criteria see Section 7.14 and 7.15.*

*7.19 Development proposals located within or immediately adjoining a Key View will only be supported if it can be demonstrated that the key features of the view can continue to be enjoyed, including distant buildings and areas of landscape.*

*7.20 Proposals will not be supported which compromise or undermine a Key View.*

### **CONFORMITY WITH NATIONAL PLANNING POLICY (NPPF)**

In line with specific criteria set out in the NPPF this policy seeks to protect and enhance valued landscapes, sites of biodiversity value, recognise "... the intrinsic character and beauty of the countryside," (paras. 174a and b) and "... draw on the contribution made by the historic environment to the character of the place." (Para.190d). The policy also seeks to conserve and enhance landscape and scenic beauty of the Parish, the overwhelming majority of which forms part of the North Wessex Downs Area of Outstanding Natural Beauty (para. 176).

### **CONFORMITY WITH THE LOCAL DEVELOPMENT PLAN**

The policy is consistent with, and supplements Local Plan Policy EM1 which states, “Development proposals must respect, enhance and not be detrimental to the character or visual amenity of the landscape likely to be affected...”.

*(Policy numbers below correlate to the numbers within the Neighbourhood Plan Submission Plan)*

#### *Policy NE3: Dark Skies*

*7.27 Development proposals that include external lighting must comply with the guidance set out in 2021 publication (or its revision) “Dark Skies of the North Wessex Downs – A Guide to Good External Lighting.”*

*7.28 Development proposals will only be permitted where they limit or mitigate the impact of light pollution, support the integrity of the dark night skies and show that the following criteria can be achieved:*

- a) There is no adverse impact on neighbouring uses or the wider landscape; including views into and out from the AONB.*
- b) It will not have any adverse impacts on the habitats of protected species.*
- c) Light levels are the minimum required for essential security and working purposes.*
- d) The potential for glare and spillage is kept to a minimum, especially where they may impact on the AONB.*

*7.29 Where appropriate, conditions will be imposed that will seek to control the times of external illumination.*

### **CONFORMITY WITH NATIONAL PLANNING POLICY (NPPF)**

In line with specific criteria set out in the NPPF this policy seeks to minimise the impacts on and to provide net gains for biodiversity (para. 174d).

### **CONFORMITY WITH THE LOCAL DEVELOPMENT PLAN**

The policy is consistent with, and supplements Local Plan Policy EM1 which states that, “Development proposals must respect, enhance and not be detrimental to the character or visual amenity of the landscape likely to be affected paying particular regard to..... f) Intrinsically dark landscapes.”

(Policy numbers below correlate to the numbers within the Neighbourhood Plan Submission Plan)

*Policy NE4: Nature Conservation*

*7.41 Where possible, any development, including extensions, should endeavour to protect and enhance existing natural features of sites and enhance biodiversity. Provision of appropriate species-related measures will be required, including swift bricks, bat and owl boxes and the incorporation of native species into landscaping schemes.*

*7.42 Any development over 0.1ha will need to show measurable net gains for biodiversity. This should be achieved via a habitat enhancement scheme delivered through a Biodiversity Management Plan.*

*7.43 Ecological network mapping, as featured within the BDBC Landscape, Biodiversity and Trees SPD (December 2018), should be taken into account when looking to place a development. This will indicate the best areas for habitat restoration possibilities and be borne in mind when presenting any planning proposals with relation to habitat protection and enhancement.*

*7.44 Development will need to show no adverse impacts on any designated SINCS sites and no loss or deterioration of key habitats.*

*7.45 Opportunities should also be taken by developers and landowners to link sustainable drainage solutions in new development to complement nature conservation objectives*

**CONFORMITY WITH NATIONAL PLANNING POLICY**

This Policy seeks to protect landscape and wildlife within the Parish. It conforms to para. 174a of the NPPF in “protecting and enhancing valued landscapes”, para. 174b by “recognising the intrinsic character and beauty of the countryside” and para. 176 because it gives “great weight... to conserving and enhancing landscape and scenic beauty” within the Parish, of which approximately 99% lies an Area of Outstanding Natural Beauty. Further, locally protected wildlife sites and areas of ancient woodland have been mapped in conformity with paras. 179 and 180 to ensure their protection and enhancement wherever possible.

**CONFORMITY WITH THE LOCAL DEVELOPMENT PLAN**

This policy is consistent with and supplements Local Plan policy EM4 in seeking to avoid harm to and secure opportunities for the improvement of biodiversity and geodiversity.

(Policy numbers below correlate to the numbers within the Neighbourhood Plan Submission Plan)

*Policy NE5: Trees & Hedgerows*

*7.53 Development proposals should seek to protect hedgerows or trees that are of good quality or perform a wider ecological function. Proposals will be permitted as long as there is no damage or loss of important trees, copses and hedgerows, unless it is not possible to retain them and replacement planting is proposed for all that which has been lost, and is provided in visually prominent positions.*

*7.54 Recognising the importance of trees in the Parish landscape, any development should ensure adequate space is given to retained trees, woodland and hedgerows to allow for their retention. Adequate separation of trees from development will need to be provided from windows to allow natural daylight into buildings. For large growing trees such as ash, sycamore and oak, there should be a separation from buildings of at least 4m from the edge of the ultimate canopy spread, when viewed from above (BDBC Landscape, Biodiversity and Trees Supplementary Planning Document 2018).*

*7.55 The replacement planting is appropriate for the site and delivers a net gain in biodiversity.*

*7.56 A minimum buffer of 20 metres should be provided between the edge of any woodland/tree belt and the development. (SPD Landscape, Biodiversity and Tree SPD, December 2018 - section 3 Designing for Biodiversity).*

*7.57 Important hedgerows should be given a minimum 5 metre buffer distance between the hedgerow and the development (including gardens), unless it can be demonstrated that adverse impacts on the hedgerow habitat can be satisfactorily addressed if a lesser distance is applied. (SPD Landscape, Biodiversity and Trees SPD - section 3 Designing for Biodiversity).*

*7.58 As stated in BDBC's Landscape, Biodiversity and Trees Supplementary Planning Document (2018), Section 6 Trees, Woodlands and Hedgerows, a tree survey must be performed for all residential developments of more than 5 dwellings (gross) and major non-residential development.*

**CONFORMITY WITH NATIONAL PLANNING POLICY**

This policy seeks to protect trees, hedges and woodlands, to ensure their replacement by suitable species and correct siting should any need to be removed in the course of development. It is in conformity with para. 174a of the NPPF as it protects and enhances the character and landscape of the Parish, para. 174b by "recognising the intrinsic character and beauty of the countryside" and para. 176 because it gives "great weight... to conserving

and enhancing landscape and scenic beauty” within the Parish, of which approximately 99% lies an Area of Outstanding Natural Beauty.

## **CONFORMITY WITH THE LOCAL DEVELOPMENT PLAN**

The policy is in conformity with Local Plan policy EM1 in providing that development proposals must be sympathetic to the character of an area and Policy EM4 which provides that, unless it can be adequately mitigated, development must not cause significant harm to biodiversity and geodiversity.

*(Policy numbers below correlate to the numbers within the Neighbourhood Plan Submission Plan)*

### *Policy CF1: Community Facilities*

#### *8.6 Community Facilities include:*

- a) St Thomas’ Church and Churchyard*
- b) St Martin’s Church and Churchyard*
- c) Woolton Hill Church Hall*
- d) East Woodhay Village Hall*
- e) Woolton Hill Village Stores and Post Office*
- f) Woolton Hill Surgery*
- g) Pubs (Rampant Cat and Furze Bush Inn)*
- h) Yew Tree Garden Centre and Coffee Shop*
- i) Woolton Hill Sports Club*
- j) East Woodhay Cricket Club*
- k) Woolton Hill Junior School Playing Fields (used by Woolton Hill Argyle FC)*
- l) Woolton Hill and Heath End Recreation Grounds and Playgrounds*
- m) Meadowbrook Community Land and “Kick-About’ Area*
- n) Parish Field including Brownies Corner*

*8.7 Proposals that will result in the unnecessary loss of a community facility such as those listed above, will be resisted, unless it can be clearly demonstrated that the use of the building and ancillary land is no longer viable, or that the use can be satisfactorily relocated.*

*8.8 Proposals to extend or improve the viability of a community facility by way of an extension, partial replacement or redevelopment of buildings, structures and land, will be supported. This is provided the design of the scheme respects heritage features, the street scene and the resulting increase in use and will not have a negative impact on the amenities of adjoining residential properties.*

*8.9 Proposals for new facilities will be supported within the SPB, or, exceptionally, outside the SPB where there is a demonstrated community need.*

### **CONFORMITY WITH NATIONAL PLANNING POLICY**

In line with the provisions of the NPPF, the policy seeks, “To provide the social, recreational and cultural facilities and services the community needs, planning policies ... should ... plan positively for the provision and use of ... community facilities (and) guard against the unnecessary loss of valued facilities and services (para. 93).” The policy identifies those facilities in the Parish to which these objectives apply and seeks both to protect but also to enhance those facilities.

### **CONFORMITY WITH THE LOCAL DEVELOPMENT PLAN**

The policy is in conformity with Local Plan policy CN8 in providing protection against the possible loss of community facilities and planning for the provision of “equivalent or better” improved or replacement facilities.

*(Policy numbers below correlate to the numbers within the Neighbourhood Plan Submission Plan)*

#### *Policy CF2: Recreation*

*8.14 New developments will be required to provide new and/or enhance existing green space and play space in line with BDBC’s Green Infrastructure Strategy (2018-2029).*

*8.15 Developments will only be permitted where all existing community play areas and facilities are retained or appropriate replacement facilities are relocated elsewhere.*

### **CONFORMITY WITH NATIONAL PLANNING POLICY**

This policy conforms to para. 93 of the NPPF in that it seeks, “To provide the social, recreational and cultural facilities and services the community needs, planning policies ... should ... plan positively for the provision and use of ... community facilities (and) guard against the unnecessary loss of valued facilities and services.”

### **CONFORMITY WITH THE LOCAL DEVELOPMENT PLAN**

The policy is in conformity with Local Plan policy CN8 in providing protection against the possible loss of community facilities and planning for the provision of “equivalent or better” (para. g) improved or replacement facilities. The supporting text to this policy makes it clear that, “outdoor facilities for children and young people” fall within the remit of this policy (para. 5.72). It is also in conformity with Local Plan policy EM5 where it states that development will be permitted where “Green space and equipped play will normally be provided on-site.”

*(Policy numbers below correlate to the numbers within the Neighbourhood Plan Submission Plan)*

*Policy CF3: Local Green Spaces*

*8.20 The following areas shown are designated as Local Green Spaces:*

- a) Parish Field including Brownies Corner*
- b) Woolton Hill Recreation Ground*
- c) St Thomas' Churchyard*
- d) St Martin's Churchyard*
- e) Woolton Hill Junior School playing fields*
- f) St Martin's CoE School playing field*
- g) Meadowbrook Community Land and 'Kickabout' area*
- h) Meadowbrook Strip by Tile Barn Row*
- i) Harwood Rise Green Space*
- j) Heath End Recreation Ground*
- k) Leased land of East Woodhay Cricket Club*
- l) East End Triangle*

*8.21 Proposals for development that would result in the loss of land comprising the Local Green Space will only be permitted if exceptional circumstances can be demonstrated.*

**CONFORMITY WITH NATIONAL PLANNING POLICY**

This policy seeks to protect green spaces that are important to the local community, in accordance with the criteria set out in para. 101 of the NPPF, which states, "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."

**CONFORMITY WITH THE LOCAL PLAN**

This policy is in conformity with Local Plan policy EM5 in seeking, "...to protect and enhance the quality and extent of public open space...". Further, development and re-development proposals for public and private open spaces will not be permitted where they, "Result in the fragmentation of the green infrastructure network... or result in undue pressure on the network which cannot be mitigated."

*(Policy numbers below correlate to the numbers within the Neighbourhood Plan Submission Plan)*

*Policy HE1: Conservation Area and its Setting*

*9.17 Development proposals which are within or affect the setting of the East End and North End Conservation Area must have regard to the North End and East End Conservation Area Appraisal for those areas. In particular they must demonstrate how they retain, conserve and enhance the historic character of these hamlets, including preserving those elements identified as contributing positively to the character or appearance of those areas.*

*9.18 Development proposals will only be permitted where they:*

- a) Ensure that extensions and/or alterations are subordinate in scale and reflective of or sympathetic to the proportions of the host building. They must also respect the historic form, design, setting, fabric, materials and any other aspects that contribute to the significance of the host building.*
- b) Demonstrate a thorough understanding of the significance, character and setting of the Conservation Area in question and how this has informed proposals to achieve high quality design, which is respectful of historic interest and character.*
- c) Retain the significance and character of historic buildings when considering alternative uses and make sensitive use of redundant historic assets, without the need to substantially rebuild the heritage asset.*
- d) Conserve and enhance the rural character of these areas by ensuring that vehicular access, hard landscaping and boundary treatments are not urban in appearance.*
- e) Follow the design requirements set out in the Village Design Statement, for developments within and visually linked to the Conservation Areas. Guidance should also be taken from the AONB documents: A Guide to Good External Lighting and Guidance on the Selection and Use of Colour in Development.*

**CONFORMITY WITH NATIONAL PLANNING POLICY**

This Policy seeks to conserve and/or enhance the heritage assets of the Parish in accordance with para. 189 of the NPPF which states that these “...are an irreplaceable resource, and should be conserved in a manner appropriate to their significance.” Further, para. 190 states that “Plans should set out a positive strategy for the conservation and enjoyment of the historic environment...”.

**CONFORMITY WITH THE LOCAL PLAN**

The Policy is in conformity with Policy EM11 of the Local Plan which provides that, “All development must conserve or enhance the quality of the borough’s heritage assets in a manner appropriate to their significance.”

*(Policy numbers below correlate to the numbers within the Neighbourhood Plan Submission Plan)*

*Policy HE2: Protecting and Enhancing Local Built Heritage Assets*

*9.21 Proposals that will contribute to the sustainable conservation of a heritage asset, including the protection of their significance, whether it is the contribution made by their physical fabric, their viable use or their position within their setting will be supported.*

*9.22 All development proposals, to or within the setting of a Heritage Asset, should demonstrate a good understanding of the significance of that Heritage Asset.*

*9.23 Any planning application regarding a Heritage Asset on the Local List must conform to BDBC's Local Plan Policy EM11 (The Historic Environment) and the principles laid out in the Heritage SPD (March 2019)*

*9.24 If a planning proposal affects designated or non-designated Heritage Assets, or the setting of such a Heritage Asset, it will not be permitted unless it can demonstrate:*

- a) A thorough understanding of the significance of the Heritage Asset and its setting.*
- b) How this understanding has informed the proposed development.*
- c) That the significance and viable future use of the Heritage Asset will not suffer any detriment.*
- d) That no harm will result to all or part of the physical fabric of the Heritage Asset.*
- e) Measures proportionate to the importance of the Heritage Asset and the potential impact of the proposal have been taken to avoid or minimise any harm.*
- f) That any residual harm is justified on the basis of public benefit that could not otherwise be delivered.*

**CONFORMITY WITH NATIONAL PLANNING POLICY**

The Policy is in accordance with para. 189 of the NPPF which states that these "... are an irreplaceable resource, and should be conserved in a manner appropriate to their significance...". Further, para. 190 states that "Plans should set out a positive strategy for the conservation and enjoyment of the historic environment...".

**CONFORMITY WITH THE LOCAL DEVELOPMENT PLAN**

The Policy is in conformity with Policy EM11 of the Local Plan which provides that "All development must conserve or enhance the quality of the borough's heritage assets in a manner appropriate to their significance."

*(Policy numbers below correlate to the numbers within the Neighbourhood Plan Submission Plan)*

*Policy HO1: Good Quality Design*

*10.22 Planning applications must respect the rural character of the area and will be permitted where they:*

- a) Have regard to the East Woodhay Village Design Statement and the Guidance documents from the North Wessex Downs AONB on Lighting and Colour.*
- b) Achieve high quality design that respects locally distinctive patterns of development in respect of pattern, context, scale, density, form, orientation, appearance and materials used. All these must be consistent with or complimentary to the locally distinctive character of the area.*
- c) Include the protection of trees and vegetation that are important to the character of the area. They should also take whatever opportunities are available to provide additional planting in suitable positions.*
- d) Retain, where possible, attractive views into, through and from the site.*
- e) Preserve or enhance the character of an area, by ensuring that vehicular access, car parking, bin and bicycle storage and hard landscaping is no more extensive than necessary. It should not dominate or “urbanise” the appearance of the area.*
- f) Ensure boundary treatments are traditional in nature. Hedgerows, groups of trees or shrubs and low walls should be used, as they will soften the appearance of buildings and hard landscaping, enhancing the rural feel of the area.*
- g) Include a Design and Access Statement, or other written statement depending on the scale and complexity of the scheme, showing that the development has been designed to comply with the requirements of this policy.*
- h) Meet optional Building Regulations water efficiency standards of 110 litres per person per day or less.*

*10.23 New and improved utility infrastructure will be encouraged and supported in order to meet the needs of the community and support sustainable development.*

**CONFORMITY WITH NATIONAL PLANNING POLICY**

The Policy is in conformity with NPPF para. 126 which states, “Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.” Further, as mentioned in NPPF para. 127, the East Woodhay Village Design Statement was developed with the local community and reflects local aspirations.

**CONFORMITY WITH THE LOCAL PLAN**

The Policy is in conformity with Local Plan Policy EM10 by requiring that development proposals respect local distinctiveness and by referring to the East Woodhay Village Design Statement, a relevant “community document” (EM10 para. 2a). Its provisions are also consistent with Local Plan Policy EM1 in relation to the North Wessex Downs AONB and the

requirement that proposals “...are sympathetic to the character and visual quality of the area concerned.”

(Policy numbers below correlate to the numbers within the Neighbourhood Plan Submission Plan)

*Policy HO2: Settlement Policy Boundary and Building in the Countryside*

*10.29 Proposals for development and redevelopment within the SPB of Woolton Hill will be permitted subject to compliance with policies set out in the EWNP and the VDS.*

*10.30 Proposals for development and redevelopment outside the SPB, including Rural Exception Sites will only be permitted if:*

- a) They do not result in significant and adverse effects on landscape character or cause visual intrusion into open land that contributes to defining the form and character of the Parish.*
- b) They are consistent with the Local Plan policies SS6 (New Housing in the Countryside), CN2 (Rural Exceptions for Affordable Housing), EP4 (Rural Economy). They must also be consistent with the North Wessex Downs AONB Management Plan.*
- c) They are in a suitable location for their purpose in terms of access to facilities, services and public transport.*
- d) They do not result in the SPB being joined to any neighbouring area, nor a loss of green space between settlements within the Parish, between the Parish and any neighbouring Parish, or between the Parish and Newbury.*

**CONFORMITY WITH NATIONAL PLANNING POLICY**

The provisions of this Policy are in conformity with NPPF para. 127 in setting out clear design requirements that have been developed through consultation with the local community. Bearing in mind that 99% of the Parish, including all the area of the SPB, is within an AONB, it is relevant the provisions of the Policy are in conformity with NPPF para. 176 (99% of the Parish, including all the area of the SPB, is within an AONB) in seeking to ensure that “The scale and extent of development within ( ) these designated areas should be limited.”

**CONFORMITY WITH THE LOCAL PLAN**

As Local Plan Policies SS6, CN2, EP4 are specifically referenced within the Policy, it is clearly in conformity with those policies. Further, this policy is in conformity with Local Plan Policy EM1 in seeking to respect the visual quality of landscape and prevent the coalescence of settlements.

*(Policy numbers below correlate to the numbers within the Neighbourhood Plan Submission Plan)*

*Policy HO3: Housing Provision for Older People*

*10.34 Proposals for elderly people's specialist accommodation (e.g. care home, sheltered accommodation) will be supported where they:*

- a) meet a proven identified need;*
- b) where the location is appropriate in terms of its proximity to other properties;*
- c) have access to facilities and services in accordance with Policy CN4 (Housing for older people) and Policy CN7 (Essential Facilities and Services, paragraph 5.66, which lists nursing and residential care homes in the text) in BDBC's Local Plan.*

**CONFORMITY WITH NATIONAL PLANNING POLICY**

The Policy is conformity with NPPF paras. 61 and 62 which provide that determining housing requirement be informed by housing need assessment and that "Within this context...housing needed for different groups in the community should be assessed and reflected in planning policies."

**CONFORMITY WITH THE LOCAL PLAN**

As specifically stated in the policy, development proposals for older persons housing must have regard to Local Plan Policies CN4 and CN7. Therefore, the Policy is clearly in conformity with those Local Plan Policies.

*(Policy numbers below correlate to the numbers within the Neighbourhood Plan Submission Plan)*

*Policy HO4: Housing Mix – Provision of Smaller Homes*

*10.47 In any new residential development, there should be a varied mix of house types, of which at least 50% of market dwellings must be 1, 2 and 3 bedrooms. Planning applications for 2 or more net new dwellings should set out and justify the housing mix in line with the Basingstoke and Deane Housing SPD, Section 3.3.*

**CONFORMITY WITH NATIONAL PLANNING POLICY**

This policy is in conformity with the NPPF para. 62, in that the size of housing needed in the community has been reflected in the Policy. The policy is also broadly in line with para. 72, regarding the possible provision of new "Entry- Level" homes.

## **CONFORMITY WITH THE LOCAL PLAN**

The policy is in conformity with Local Plan CN3 which specifies that sites for market housing should include a range of house type and size that meet local requirements. Further, the supporting text to the above Policy makes it clear that “The council will seek to balance communities where particular houses sizes... have become prevalent beyond an evidenced need.”

*(Policy numbers below correlate to the numbers within the Neighbourhood Plan Submission Plan)*

### *Policy HO5: Housing Replacements, Extensions, Residential Garden Land & Annexes*

*10.52 The replacement or extension of a ‘dwelling’ will likely be permitted in the SPB and countryside provided that:*

- a) It would not result in a disproportionate increase in size over the existing dwelling.*
- b) It is sympathetic to the appearance and character of the existing dwelling and the surrounding area.*
- c) It would not harm the amenities enjoyed by the occupiers of neighbouring properties by reason of overlooking or overshadowing.*
- d) It does not lead to the loss of attractive features on or adjoining the site such as trees, hedges, walls or buildings that contribute to the character of the locality.*

*10.53 Ancillary annexe accommodation - where an extension is to provide for a residential annexe, it should accord with the above criteria and:*

- a) Not be capable of being made into a separate dwelling.*
- b) In most cases, be linked internally to the principal dwelling and be designed in such a way as to easily enable the annexe to be used as an integral part of the main dwelling at a later date. A separate external entrance to the annexe may be acceptable provided it is subsidiary to the entrance to the principal dwelling.*
- c) Have no boundary demarcation or sub-division of garden areas between the curtilage of the principal dwelling and the annexe.*

*10.54 Development proposals on residential garden land will be supported provided that:*

- a) they maintain the prevailing character and appearance of buildings in their immediate locality;*
- b) they reflect the scale, mass, materials, design and layout of existing residential dwellings;*
- c) they safeguard the amenities of adjacent residential dwellings and their curtilages;*
- d) they provide off-street parking to Development Plan standards;*
- e) they have appropriate and safe access to the highway network; and*
- f) any loss of biodiversity on the site will be mitigated and measures to enhance biodiversity through habitat creation or improvement are incorporated.*

### **CONFORMITY WITH NATIONAL PLANNING POLICY**

The Policy is in conformity with the NPPF para. 130 as it requires that development will add to the quality of the area, be visually attractive and “...sympathetic to local character and history, including the surrounding built environment and landscape setting...”. Further, the Policy conforms to para. 174, which states that “Planning policies and decisions should contribute to and enhance the natural and local environment...”.

### **CONFORMITY WITH THE LOCAL PLAN**

This policy is in conformity with Local Plan Policy EM1 which requires that development be “...sympathetic to the character and visual quality of the area ...must respect, enhance and not be detrimental to the character or visual amenity of the landscape likely to be affected.” Further, that regard be given to “The local character of buildings and settlements...”.

*(Policy numbers below correlate to the numbers within the Neighbourhood Plan Submission Plan)*

#### *Policy HO6 Garages and Other Incidental Buildings*

*10.56 Where planning permission is required, proposals for new garages and other incidental buildings in the garden of a dwelling will normally be supported provided they:*

- a) Are not excessive in size with respect to, and are well related to, the dwelling they serve.*
- b) Do not constitute a dominant feature, having regard to the scale of the existing dwelling nor detract from the rural character or appearance of the locality.*
- c) Would not harm the amenities enjoyed by the occupiers of neighbouring properties by reason of overlooking or overshadowing.*
- d) Are only for purposes incidental to the residential use of the existing dwelling.*
- e) Are not readily capable of subsequent conversion to separate, self-contained, residential accommodation.*

### **CONFORMITY WITH NATIONAL PLANNING POLICY**

The Policy is in conformity with the NPPF para. 130 as it requires that development will add to the quality of the area, be visually attractive and “...sympathetic to local character and history, including the surrounding built environment and landscape setting...”. Further, the Policy conforms to para. 174, which states, “Planning policies and decisions should contribute to and enhance the natural and local environment...”.

### **CONFORMITY WITH THE LOCAL PLAN**

This policy is in conformity with Local Plan Policy EM1 which requires that development be “...sympathetic to the character and visual quality of the area ...must respect, enhance and not be detrimental to the character or visual amenity of the landscape likely to be affected.” Further, that regard be given to “The local character of buildings and settlements...”.

*(Policy numbers below correlate to the numbers within the Neighbourhood Plan Submission Plan)*

*Policy LB1: Supporting Local Employment and Businesses*

*11.9 EWNP will support the local rural economy with the reuse or conversion of permanent agricultural or other rural buildings, and with well-designed new buildings in the countryside for business purposes. Proposals for the development of new businesses or expansion or diversification of existing businesses – including agricultural or equestrian based operations – will be supported providing that they:*

- a) Are on previously developed land; or*
- b) Are for a change of use or conversion of a suitable permanent building or new building; and*
- c) Will enable farm diversification, new business or tourism that benefits the rural economy without harming the open character of the land or causing harm or having a detrimental impact on neighbours and local infrastructure (including drains); or*
- d) Are for small-scale new business, provided it is not in an isolated location and where scale must be considered in terms of the overall, cumulative impact it will have on its location and environs, not just on its physical size; and*
- e) Meet the requirement of other development plan policies (NPPF and Local Plan Policy EP4 or its revision) and the North Wessex Downs AONB Management Plan.*

*11.10 All commercial development proposals must be well designed and of a use and scale that is appropriate to the site and location when considering:*

- a) Landscape, heritage, environmental impacts and the accessibility of the site.*
- b) Their effect on the character, function or appearance of the land, buildings of historical interest or nature conservation interests and on residential amenity and road safety.*
- c) Impact from increased traffic (including HGVs), noise, smell, lighting, vibration or other emissions or activities arising from the proposed development.*
- d) The appropriateness for the rural roads and the impact on their character, as well as consideration of the safety of cyclists, pedestrians, horse riders on local single track lanes.*
- e) The need for residential accommodation on site.*

*11.11 Proposals for new employment development should provide a Connectivity Statement setting out how it will provide for a fibre optic connection (or its updated technological equivalent) to the nearest connection point in the public highway. Unless not technically feasible, the development should provide suitable ducting to enable more than one service provider to provide a fibre connection.*

### **CONFORMITY WITH THE NPPF**

The policy is in conformity with the NPPF 84-85, “Supporting a prosperous rural economy...”. Further it is in conformity with para. 114 which explicitly states that “Planning policies and decisions should support the expansion of electronic communications networks, including... full fibre broadband connections.”

### **CONFORMITY WITH THE LOCAL PLAN**

The policy is consistent with the provisions of this local Plan Policies EP4 and EP5 in respect of its encouragement of the rural economy and rural tourism.

*(Policy numbers below correlate to the numbers within the Neighbourhood Plan Submission Plan)*

#### *Policy TT1: The Traffic and Parking Impact of New Development*

*12.13 New developments, both residential and non-residential should:*

- a) Outside the SPB, provide an assessment of traffic generation and impact, especially regarding the size of the country roads local to the development and any mitigation to reduce identified car usage. Local Plan Policy CN9 should be followed.*
- b) Address opportunities to provide safe, sustainable transport and identify how it can link up with existing or proposed footpaths, enabling a reduction in car usage.*
- c) Provide off street parking, designed to fit with the character of the area and the design of the dwelling it serves. The parking design should be in accordance with Local Plan Policies CN9 and EM10.*

### **CONFORMITY WITH NATIONAL PLANNING POLICY**

This policy is in conformity with the NPPF para. 104 in providing that “Transport issues should be considered from the earliest stages of plan-making...” and that “...opportunities to promote walking, cycling and public transport use are identified and pursued...”. Further, that “...parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.”

### **CONFORMITY WITH THE LOCAL PLAN**

The Policy references Local Plan Policies CN9 and EM10 and is clearly in conformity with those Policies.

Although the Parish Council recognises that the Policy does not materially differ from the Local Plan, it considers that, as reflected in much community feedback, the issue of transport and parking is an important matter for the local community. A policy on the issue in the Neighbourhood Plan is something that would be expected and, therefore, it is not considered “... unnecessary duplication...” NPPF para. 16(f).

#### **4. Contribute to Achievement of Sustainable Development**

The Parish Council considers that the Neighbourhood Plan supports sustainable development. This is supported by the following elements contained within the Neighbourhood Plan and its policies which:

- take positive approach to supporting development within suitable locations including a housing mix policy seeking smaller dwellings. This was a high priority for the community for any future development.
- contain a policy for housing for older people.
- protect the historic environment, including the nature of the two conservation areas within the Parish. In particular, protecting the rural character of the local settlements.
- provide a central focus on protecting the natural environment and landscape of the Parish. This recognises that 99% of the Parish lies within the AONB, of key importance and pride for the local community.

The feedback from the Borough Council during Reg 14 consultation also considered that the Neighbourhood Plan supports sustainable development.

#### **5. European Obligations and Human Rights Requirements**

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

The Parish Council believes it has met its obligations in relation to the requirements of an SEA, as the Borough Council has screened the draft Neighbourhood Plan and determined that an SEA in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 is not required.

##### **5.2 European Convention on Human Rights**

The vision, objectives and policies have been formulated in response to the community's views and needs through consultation and evidence gathering in the Parish. The overall purpose of the Neighbourhood Plan is to improve the quality of life for all people living and working in the Parish from an environmental, social and economic point of view. The Parish Council has been mindful of the fundamental rights and freedoms guaranteed under the European Convention on Human Rights in the process of preparing the Neighbourhood Plan. During the Equalities Impact Assessment below (Section 7) the policies were also reviewed for compliance with the Human rights Act. The Parish Council considers that the Neighbourhood Plan, its vision, objectives and policies comply with the Human Rights Act.

#### **6. Adherence to the Conservation of Habitats and Species and Planning Regulations**

Habitats Regulation Assessment (HRA)

The Parish Council believes it has met its obligations in relation to the requirements of an HRA. The Borough Council has also screened the draft Neighbourhood Plan for effects in relation to the Conservation of Natural Habitats and Wild Flora and Conservation of Habitats and Species Regulations 2010 (as amended). Its screening opinion concluded that an HRA is not required.

## **7. Equalities Impact Assessment**

7.1 The Equality Act 2010 places a duty on all public authorities in the exercise of their functions to have regard to the need to eliminate discrimination, to advance equality of opportunity and to foster good relations between persons who have a “Protected Characteristic” and those who do not. Protected Characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

This report assesses the Submission Neighbourhood Plan to ensure that East Woodhay Parish Council (as the qualifying body) is satisfying its statutory duties in this regard.

The methodology followed was to assess whether the Neighbourhood Plan has a positive, negative or neutral impact on each of the protected characteristics (in so far as data is available).

### **7.2 East Woodhay Neighbourhood Area – population characteristics**

The following is the base data for the Parish from the 2011 Census, for the Protected Characteristics of age, sex, disability, race, religious belief and marriage and civil partnership.

No data is available for the following Protected Characteristics: gender reassignment, pregnancy and maternity and sexual orientation.

Data sourced from NOMIS: <https://www.nomisweb.co.uk/>

**Total Population:** 2,914

**Sex:** 1,409 males and 1,505 females

#### **Age**

21% are children aged 15 or less

55% are in the working age groups up to the age of 64

16.5% are over 65

What is noticeable is the higher percentage approaching retirement age, with 32% in the age range 45 to 64 in the 2011 data. This is 7% higher than the national average.

The population has a slightly older profile than the national average.

### **Language**

97% the main language is English

### **Country of birth**

92% were born in the UK

2% in the EU

6% elsewhere

### **Ethnic Group**

97.3% British White

1% Mixed/multiple ethnic groups

1.4% Asian/Asian British

0.3% Black/African/Caribbean/Black British

### **Marital and Civil Partnership status**

64.4% Married

21.1% Single

0.2% Same sex civil partnership

1.4% Separated

7% Divorced

5.9% Widowed

The percentage of married couples is much higher than the national average of 46.6%

### **Religion**

69% Christian

23.6% stated they do not have a religion

5.5% did not state a religion

1.9% other religion

### **Health**

The local community is generally healthy, with the great majority reporting very good or good health (88%).

2.6% reported bad or very bad health and this is below the national average (5.4%).

## **7.3 Process of Community Consultation**

All written communication and presentations throughout consultation were in English and it was not considered necessary to translate them into any other language. All discussions concerning the Neighbourhood Plan in Parish Council meetings and minutes / reports were in English.

**7.4** The Neighbourhood Plan contains a series of policies. Each policy is reviewed to assess whether it is likely to have an impact on groups within the Parish with Protected Characteristics.

<b>Policy Area</b>	<b>Likely Impact</b>	<b>Commentary</b>
7. Natural Environment	Positive	This includes policies NE1 Protecting the Landscape, NE2 Key Views, NE3 Dark Skies, NE4 Nature Conservation and NE5 Trees and Hedgerows. All of these are focused on protecting and enhancing the local rural landscape and biodiversity. This is of high importance to the community. The policies reflect that 99% of the Parish is within the AONB and the importance of protecting this landscape. This policy area is deemed to have a positive well being impact on groups within the community with Protected Characteristics.
8. Community Facilities and Green Infrastructure	Positive	This includes policies CF1 Community Facilities, CF2 Recreation and CF3 Local Green Space. These policies wish to protect the key facilities used by the community and to protect the key green spaces within the Parish. This policy area is deemed to have a positive health and well-being impact, on groups within the community with Protected Characteristics.
9. Historic Environment and Heritage Conservation	Neutral	This includes policies HE1 Conservation Area and its Setting and HE2 Protecting and Enhancing Local Built Heritage Assets. These policies seek to protect heritage and other important historical assets across the Parish. This policy area is deemed to have a neutral impact on groups within the community with Protected Characteristics.
10. New Development and Housing	Positive	This includes policies HO1 Good Quality Design, HO2 Settlement Policy Boundary and Building in the Countryside, HO3 Housing Provision for Older People, HO4 Housing Mix, Provision of Smaller Homes, HO5 Housing Replacements, Extensions, Residential Garden Land and Annexes and HO6 Garages and Other Incidental Buildings. These policies seek to ensure that housing development is of good design that complements the rural nature of the Parish and contributes to safe sustainable and mixed communities. In addition, the policies seek to rebalance the current housing stock by encouraging the move to smaller properties for younger families and people wishing to downsize. This policy area is deemed to have a positive impact on groups within the community with Protected Characteristics,

		especially those with specific housing needs and the elderly.
11. Local Employment and Business	Positive	This includes policy LB1 Supporting Local Employment and Businesses. This policy seeks to support and enhance business opportunities in the Parish. This policy area is deemed to have a positive impact on groups within the community with Protected Characteristics, as it supports employment opportunities for all people.
12. Traffic and Transport	Positive	This includes policy TT1 Traffic and Parking Impact of New Development. This policy seeks to ensure that new development mitigates any traffic impact, provides a safe traffic flow and appropriate parking, with the focus on ensuring the safety of the roads in the Parish for all users. It also focuses on enhancing sustainable transport as part of any development. This policy area was one of the highest priority areas for the community, with concerns for safety in using the local narrow rural roads. This policy area is deemed to have a positive impact on groups within the community with Protected Characteristics as it focuses on ensuring the safety of all road users.

## 7.5 Conclusion

The Parish Council believes the Neighbourhood Plan provides the vision, objectives and policies that benefit the local community as a whole, including those with Protected Characteristics.

In conclusion, the Parish Council believes this assessment finds the Neighbourhood Plan to be appropriate and that the duty of care prescribed by the Equalities Act 2010 is met.

## **8. Basic Conditions Conformity Conclusions**

The analysis of the Neighbourhood Plan in relation to national planning and guidance and the strategic policies of the Local Plan, as shown above in this document, does not highlight any fundamental conformity issues. During Reg 14 consultation the Borough Council highlighted minor conformity tensions and these have been resolved in the submitted Neighbourhood Plan. Where the Neighbourhood Plan does vary, the changes are considered to be relatively minor in nature and justified by locally specific evidence and therefore still in general conformity.

On this basis the Parish Council believes there are no specific reasons to conclude other than that the Neighbourhood Plan meets the basic condition of having regard to national policy and guidance and being in general conformity with the strategic policies of the Local Development Plan.