

BURGHCLERE NEIGHBOURHOOD PLAN

2011 – 2036

BASIC CONDITIONS STATEMENT

Published by Burghclere Parish Council under the Neighbourhood Planning (General) Regulations 2012
(as amended)

November 2019

1.INTRODUCTION

1.1 This statement has been prepared by Burghclere Parish Council ("the Parish Council") to accompany its submission of the Burghclere 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").

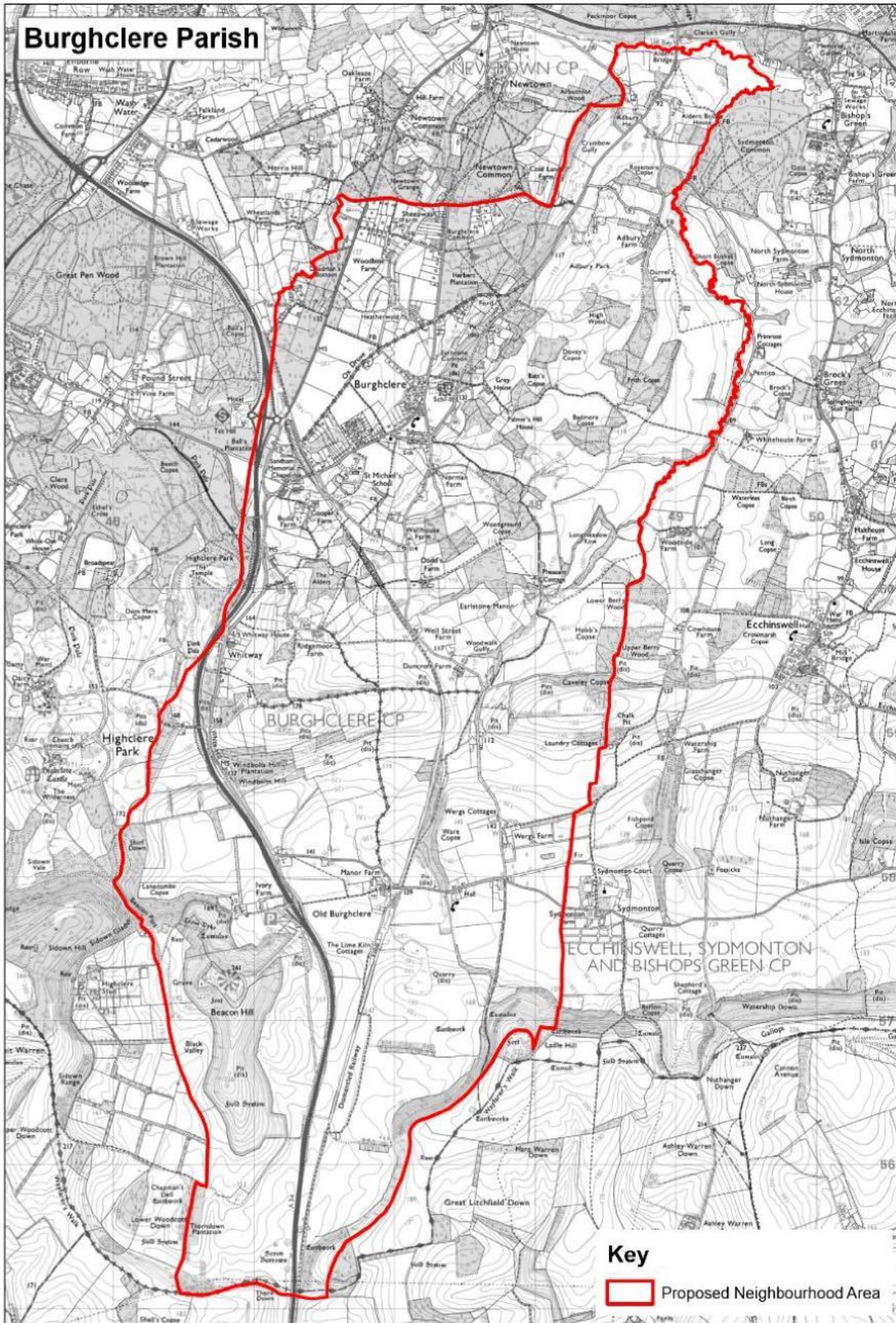
1.2 The Neighbourhood Plan has been prepared by the Parish Council, a qualifying body, for the Neighbourhood Area, which coincides with the boundary of the Parish of Burghclere and which was designated by the District Council on 26 February 2018 (see Plan A overleaf). The Parish Council has consulted 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.

1.3 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. The plan period of the Neighbourhood Plan is from 1 April 2011 – 31 March 2036, which corresponds with the plan period of the emerging Basingstoke & Deane Local Plan.

1.4 The statement addresses each of the four '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.

1.5 The Regulations state that a Neighbourhood Plan will be considered to have met the conditions if:

- Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the Neighbourhood Development Plan,
- The making of the Neighbourhood Development Plan contributes to the achievement of sustainable development,
- The making of the Neighbourhood Development Plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).
- The making of the Neighbourhood Development Plan does not breach, and is otherwise compatible with EU obligations



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Plan A: Burghclere Designated Neighbourhood Area

2.BACKGROUND

2.1 The decision to proceed with a Neighbourhood Plan was made by the Parish Council in November 2017. With the encouragement of the Borough Council to local communities across the Borough to prepare Neighbourhood Plans, the key driver of this decision was a sense of wanting to plan positively for the future of the village and the Parish as a whole. Although the Parish is predominantly rural, the spread of development over the years has created several distinct settlement areas, and the Parish Council considered having a Plan would improve the way in which future development proposals, however modest, are managed.

2.2 A steering group was formed comprising the residents and Parish Council representatives. The group has been delegated authority by the Parish Council to make day-to-day decisions on the preparation of the Neighbourhood Plan. However, as the qualifying body, the Parish Council approved the publication of the Pre-Submission plan in September 2019 and the Submission Plan now.

2.3 The Parish Council has consulted local communities extensively over the duration of the project. It has also worked closely with officers of the Borough Council since the start of the project to collate and examine the evidence base, to design and iterate policy proposals and to define the proper relationship between the Neighbourhood Plan and the adopted Basingstoke & Deane Local Plan 2011 – 2029 (“the adopted Local Plan”) and, of more of a challenge, with the emerging Local Plan 2011 – 2036 (“the new Local Plan”). The outcome of that work is the submission version of the Neighbourhood Plan.

2.4 The Neighbourhood Plan contains seventeen land use policies, some of which are defined on the Policies Map. The Plan has deliberately avoided containing policies that duplicate saved or forthcoming development plan policies or national policies that are already or will be used to determine planning applications. The policies are therefore a combination of site-specific allocations or other proposals and of development management matters that seek to deliver national planning objectives and complement and refine Local Plan policies.

3.CONFORMITY WITH NATIONAL PLANNING POLICY

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 subsequently revised in July 2018 and in February 2019. In overall terms, there are three NPPF paragraphs (§28 - §30) that provide general guidance on neighbourhood planning, to which the Neighbourhood Plan has directly responded.

3.2 The Neighbourhood Plan contains non-strategic policies to manage development in the Parish. The Parish Council believes the Neighbourhood Plan is planning positively to support the strategic development needs of the District, as framed by the adopted and emerging Local Plan, by making housing allocations and reserving land for future development. The Plan represents 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 the Parish should be in the coming years.

3.3 The Parish Council believes the policies of the Neighbourhood Plan are in general conformity with the policies of the development plan and effectively anticipate the policies of the emerging Local Plan. It acknowledges the physical and policy constraints of the Parish but plans to accommodate suitable development in the right locations and to be of an appropriate design.

3.4 None of the policies of the Neighbourhood Plan have required a balancing exercise to be undertaken in having regard to national policy as none are considered to be inconsistent with national policy.

Table A: Neighbourhood Plan & NPPF Conformity Summary

No.	Policy Title	Commentary
B1	Burghclere Settlement Boundary	The convention of settlement boundaries is provided for in strategic policy (Policy SS1) of the development plan and the Neighbourhood Plan has used this as a 'clear starting point' (§21) for its non-strategic policy. The policy updates the settlement boundary to accommodate the proposed allocation (of Policy B2) and the 6 dwellings recently completed at Sandham House off Pound Lane for the purposes of applying strategic policy SS1 to retain clarity as to where the provisions in that policy apply (§16d).

B2	Land off Harts Lane / Winchester Road	<p>The adopted Local Plan sets out a “housing requirement figure” for Burghclere of 10 dwellings over the plan period (§65), 6 of which have already been delivered. The policy allocates 0.89 Ha of land for a mix of residential, employment and blue/green infrastructure uses which will deliver 15 new homes, therefore meeting the established “housing requirement” (§65).</p> <p>‘Planning policies ... should support development that makes efficient use of land’ and it should do so by taking into account ‘the desirability of maintaining an area’s prevailing character and setting’ (§122). Similarly, “Great weight should be given to conserving and enhancing landscape and scenic beauty in...Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues... The scale and extent of development within these designated areas should be limited. Planning permission should be refused for major development other than in exceptional circumstances...” (§172). While this section applies only to planning applications, it is considered appropriate to assess the policy ‘general conformity’ at the plan-making stage.</p> <p>The site lies on the edge of but within the North Wessex Downs Area of Outstanding Natural Beauty (NWD AONB) between the A34 Newbury by-pass and the NWD AONB boundary, albeit the site is visually enclosed from much of its surroundings and is not visually prominent in the landscape. “Whether a proposal is ‘major development’ is a matter for the decision maker” (Footnote 55) and the Local Planning Authority, as the decision maker, have advised that in their opinion the site does not meet the test of ‘major development’. Nevertheless, the policy should seek to ‘protect and enhance valued landscapes’ (§171) and in relation to its proximity to the A34 in “preventing new...development from ... being put at unacceptable risk from, or being adversely affected by, unacceptable levels of ... noise” while also “minimising impacts on” and providing net gains for biodiversity” (§170). There are also Heritage assets adjacent to the site and the policy should therefore consider such assets are ‘an irreplaceable resource and should be conserved in a manner appropriate to their significance...” (§184). The policy includes a number of development principles in accordance with these NPPF measures.</p> <p>Furthermore, the ‘size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies’ (§61). The evidence gathered during the preparation of the Plan indicates that there is an imbalance in Burghclere’s housing stock. The policy therefore requires that a special emphasis is given</p>
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		<p>to delivering homes that are suitable for first time buyers or those looking to rent their first homes, retired estate workers (given its proximity to Highclere Estate), and downsizers. In part, the allocation is broadly in line with the Government's intent in introducing the new 'Entry- Level' homes product (§71).</p> <p>The approach to affordable housing matches the Local Plan but encouragement is offered to agree a means by which a Community Land Trust may be a delivery partner. It is unfortunate that this cannot be made a requirement in the policy given the support for such an approach in the local community (as the NPPF falls short of enabling such an approach), nonetheless the policy requires its consideration.</p> <p>'Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport' (§84). The policy reflects these aspirations in making provision for a Business Hub offering 'flexible workspace' to be delivered as part of the allocation.</p> <p>Planning policy and decisions should also 'aim to achieve healthy, inclusive and safe places' which 'promote social interaction' (§91a), 'are safe and accessible' (§91b) and 'enable and support healthy lifestyles' (§91c). Policies should plan positively to 'provide the social, recreational...' services the community needs (§92a). This requires an integrated approach to housing, economic uses and community facilities and the policy is considered an exemplar in this respect.</p> <p>Section 8 of the NPPF makes clear that proposals for residential led development should not merely seek to maximise the quantity of housing which can be placed on a site and the B2 policy provisions ensure that this integrated approach is assured and is consistent with the approach to viability that requires these issues, as far as possible, to be resolved at plan-making stage to reflect the obligations of §34 and PPG section ID10.</p> <p>'Transport issues should be considered from the earliest stages of plan-making so that ... the potential impacts of development on transport networks can be addressed' (§102). 'Planning policies should ... provide for high quality walking and cycling networks' (§104). The policy also includes measures that will deliver these outcomes in agreement with the Highways Authority.</p> <p>The mix of uses required by the policy 'optimises the potential of the site to</p>
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		<p>accommodate and sustain an appropriate quantum and type of development (including green and public open space)' (§127e) as well as ensuring that its design is 'sympathetic to the surrounding built environment and landscape setting' (§127c).</p> <p>In summary, it is considered that the allocation and mitigation measures are appropriate and have regard to national policy.</p>
B3	Land for Future Development	<p>The Local Plan Review is at too early a stage for the Borough Council to "provide an indicative figure" to the neighbourhood planning body (§66). The 'Qualifying Body considers that planning for the future of Burghclere should be 'genuinely plan-led' (§15) and the policy therefore introduces the flexibility to accommodate future growth should this be necessary, and to identify a broad location to cater for such growth should this be necessary (§67b).</p> <p>At the outset, a number of spatial principles were considered to shape and direct development and to inform site selection (§13). These comprised protecting the integrity of the rural character of the village where it has identified 'the special qualities of each area and explaining how this should be reflected in development' (§125), minimising local traffic congestion, utilising access to and from existing infrastructure, and having convenient access to the strategic road and rail network. 'Transport issues should be considered from the earliest stages of plan-making so that ... the potential impacts of development on transport networks can be addressed' (§102).</p> <p>The intentions of the policy are to reduce the risk that the community's preferred spatial strategy is not fundamentally undermined and the village can continue to evolve in a sustainable way (§16).</p>
B4	Residential Garden Land	<p>The policy establishes criteria for the development of residential garden land, without which it is considered 'development would cause harm to the local area', and by doing so it 'resist(s) inappropriate development' (§70).</p>
B5	Housing mix and tenure	<p>The 'size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies' (§61). The evidence gathered during the preparation of the Plan indicates that there is an imbalance in Burghclere's housing stock. The policy requires that a special emphasis is given to delivering 2 and 3 bed homes that are suitable for first time buyers, those looking to rent their first homes, or downsizers. The policy gives effect to the direction of §61 in seeking to define the housing needs of</p>

		<p>different groups; in this case younger people and 'downsizers'. In practise, the allocation is broadly in line with the Government's intent in introducing the new 'Entry- Level' homes product (§71).</p> <p>The approach to affordable housing reflects that of the Local Plan but encouragement is given to landowners to consider community-led development as a means by which local needs housing may be delivered, which falls within the definition of affordable housing (NPPF Annex 2d). It is unfortunate that this cannot be made an explicit requirement in the policy (as the NPPF falls short of enabling such an approach), but the Parish Council remains committed to pursuing the community's support for such provision in Burghclere.</p>
B6	Rural Employment	<p>The policy sets out the conditions in which 'sustainable growth and expansion of all types of business in rural areas can come forward (§83a). The policy endorses existing policy in the development plan for the Rural Economy. Although the Parish Council recognises that the policy does not materially differ from the Local Plan, it considers rural employment is such an important asset for Burghclere the local community will expect a policy on the issue in the Plan, and therefore it is not considered 'unnecessary duplication' (§16f).</p>
B7	High Quality Design	<p>'Neighbourhood plans can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development (§125). The policy seeks to bring 'clarity about design expectations' in the Parish, as articulated in the revised Design Statement of the village of Burghclere (§126) to secure high quality design (§124). The specific matters included in the policy 'provide a framework for creating distinctive places' to deliver a 'consistent and high quality standard of design'. When the Parish Council considers planning applications as a consultee, these matters are those that in its experience lead to successful or unsuccessful design outcomes, and so they are 'tailored to the circumstances' in the Parish but 'allow a suitable degree of variety', which reflects the existing variety between its settlements.</p>
B8	Sustainable Design Standards	<p>The policy encourages design features, that 'help reduce greenhouse gas emissions' and to 'avoid increased vulnerability to the range of impact arising from climate change' (§150).</p> <p>'Plans should take a proactive approach to mitigating and adapting to climate change.' (§149). The policy seeks to achieve this by requiring applicants to demonstrate how sustainable design standards are integral to proposals. In doing so it recognises 'the need to plan new development in ways to avoid vulnerability to climate change impacts'</p>

		<p>(§150).</p> <p>The policy also alerts applicants to the publication of the National Design Guide (a material planning requirement by virtue of the Written Ministerial Statement on 1st October 2019 - HLWS1803/HCWS1840) which confirms the Government's intention to publish a National Model Design Code in early 2020 as a requirement in considering the design of their proposals.</p>
B9	Local Heritage Assets	<p>'Plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats.' (§185).</p> <p>The process for identifying buildings or structures as Buildings of Architectural or Historic Interest in the District is normally through the Borough Council's 'Local List Buildings of Architectural or Historic Interest' nomination process. A list of nominations was submitted to the Borough Council in 2007, and the revised Design Statement of the village of Burghclere identified a further set. The policy therefore seeks to identify the local heritage value of the additional buildings as merit for inclusion in the Local List in due course and for the application of existing policy in the development plan (Local Plan Policy EM11) which engage the provisions of §197.</p>
B10	Landscape	<p>The policy seeks to 'protect and enhance valued landscapes, sites of biodiversity value' (§170a) and 'draw on the contribution made by the historic environment to the character of the place' (§185d) by identifying key attributes that form an essential part of the character of the Parish. The policy also seeks to 'conserve and enhance landscape and scenic beauty' of the North Wessex Downs Area of Outstanding Natural Beauty (§172).</p>
B11	Important Views	<p>'Planning policies ... should contribute to and enhance the natural and local environment by ... protecting and enhancing valued landscapes ... recognising the intrinsic character and beauty of the countryside ... in a manner commensurate with their ... identified quality in the development plan' (§170a). The Parish does lie within a designated landscape, but, as shown in the Evidence Report, there are some demonstrable physical attributes within the surrounding landscape that are special in framing views between, from and to each settlement that are above the norm in defining the rural character of those settlements.</p>

		In recognising the local status of the policy, it does not seek to prevent any development as a matter of principle, but rather requires development proposals to avoid unnecessary harm by way of their height, massing or obstructive location. Further, the policy does not unduly constrain the delivery of new development, as the settlement boundaries of Policy B1 have made provision for such development of a scale that is in line with strategic policy.
B12	Green Infrastructure and Biodiversity	<p>'Plans should ... take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure' (§171). In addition, plans should 'safeguard components of local wildlife-rich habitats and wider ecological networks' (§174). The policy identifies a series of green infrastructure attributes of the Parish that are especially important to its biodiversity value.</p> <p>'Planning policies should ... provide for high quality walking and cycling networks' (§104). The Parish also benefits from an extensive network of public rights of way and other informal walking, cycling and riding routes. The policy seeks to protect those routes from unnecessary loss or obstruction and to encourage suitably-located development schemes to respond positively to opportunities to improve route connectivity.</p>
B13	Local Green Spaces	'The designation of land as Local Green Space through ... neighbourhood plans allow communities to identify and protect green areas of particular importance to them' (§99). The policy seeks to designate four spaces and each space is considered to meet the tests of §100, as shown in the Evidence Report. Further, the policy does not unduly constrain the delivery of new development, as the settlement boundaries of Policy B1 have made provision for such development of a scale that is in line with strategic policy.
B14	Community Facilities	'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' (§92). The policy identifies those facilities in the Parish to which these objectives apply. It seeks both to protect but also to enhance those facilities.
B15	Tourism	The policy sets out the conditions in which 'sustainable rural tourism and leisure developments...respect the character of the countryside' (§83c). The policy endorses existing policy in the development plan for Rural Tourism. Although the Parish Council recognises that the policy does not materially differ from the Local Plan, its tourism is such an important asset for Burghclere the local community will expect a policy on the issue in the Plan, and therefore it is not considered 'unnecessary duplication' (§16f).

B16	Managing Traffic	<p>'Transport issues should be considered from the earliest stages of plan-making so that ... the potential impacts of development on transport networks can be addressed' (§102a). Walking, cycling and riding are very popular in the Parish, but its lanes are increasingly busy with through traffic and congestion at school opening and closing times, which also creates safety concerns. Although limited schemes will be appropriate in the Parish, there may still be opportunities for those proposals to contribute to the goal of managing traffic speeds in the Parish, depending on their location.</p>
B17	Car Parking	<p>'Transport issues should be considered from the earliest stages of plan-making so that ... patterns of movement, streets, parking and other transport considerations are integral to the design of schemes and contribute to making high quality places.'" (§102e). As journeys are through necessity essentially by car in Burghclere, the policy seeks to ensure that schemes reflect the parking standards for Burghclere. It also demonstrates the need for additional parking in the Village centre to inform the preparation of a new SPD by the Borough Council in due course.</p>

4.CONTRIBUTING TO ACHIEVING SUSTAINABLE DEVELOPMENT

4.1 This condition has been met through the preparation of a separate Sustainability Appraisal. The Borough Council issued a 'screening opinion' on the need for a Strategic Environmental Assessment (SEA) under the European Directive 2001/42/EC and Environmental Assessment of Plans and Programmes Regulations 2004. The screening opinion was issued in November 2018, following a consultation period with the statutory bodies, as per those Regulations. The opinion concluded that there is the potential for significant environmental effects to arise as a result of the proposed Neighbourhood Plan and as such, the Neighbourhood Plan does require a full SEA to be undertaken.

4.2 The Parish Council therefore commissioned from AECOM, via the Neighbourhood Plan Support programme, a SEA incorporated a wider Sustainability Appraisal and its recommendations have been incorporated into the Plan. The separate Sustainability Appraisal (incorporating a Strategic Environmental Assessment) (SA/SEA) Report ensures that the Plan will meet the 'basic conditions' in respect of showing how the policies contribute to the achievement of sustainable development and of complying with the EU Directives 42/2001 and the 2004 Environmental Assessment of Plans and Programmes Regulations.

4.3 The Final SA/SEA Report conclusions are as follows:

(i) The appraisal has concluded that the current version of the Burghclere Neighbourhood Plan is likely to lead to significant positive effects resulting from the provision of housing of a range of type and tenures to meet local needs, supporting existing and new community facilities, promoting the development of a high quality local green infrastructure network and protecting and enhancing the quality of the public realm and neighbourhood distinctiveness.

(ii) A central focus of the Neighbourhood Plan is on conserving and enhancing landscape and villagescape character in the parish, protecting key views and supporting local distinctiveness. It also seeks to protect the integrity of the NWD AONB. In this regard the Neighbourhood Plan will bring significant positive landscape effects. Along with the design policies, this will also support the parish's historic environment resource. The Neighbourhood Plan will also initiate a number of beneficial approaches regarding biodiversity, by ensuring protection and enhancement of habitats, supporting parish-wide ecological networks (including through enhancements to local green infrastructure networks) and promoting biodiversity net gain.

(iii) While the Neighbourhood Plan allocation will lead to the loss of greenfield land, these effects are unlikely to be significant given the scale of proposed development, and the uncertainty as to whether the land allocated comprises land classified as the 'best and most versatile' agricultural land. The Neighbourhood Plan sets out provisions for limiting emissions from built development and introducing provisions which will support climate change adaptation.

5. GENERAL CONFORMITY WITH THE STRATEGIC POLICIES OF THE DEVELOPMENT PLAN

5.1 The Neighbourhood Plan has been prepared to ensure its general conformity with the development plan for the District, that is the adopted Local Plan. The Neighbourhood Plan is being prepared prior to a review of the adopted Local Plan. Its Issues and Options consultation is expected before the end of 2019 with adoption predicted in Summer 2023. The Neighbourhood Plan will be examined before that plan is adopted. It is anticipated that Basingstoke and Deane will have to provide additional homes to that planned for in the adopted Local Plan and the evolving reasoning and emerging evidence base have been taken into consideration during the preparation of the Neighbourhood Plan to ensure its strategic direction could be anticipated and planned for effectively.

5.2 The adopted Local Plan defines a settlement boundary for Burghclere. It does not make any strategic allocations in the Parish, but it does require Burghclere to provide 10 dwellings over the plan period. None of the policies of the Neighbourhood Plan have required a balancing exercise to be undertaken in having regard to general conformity with strategic policy as none are considered to be inconsistent with strategic policy.

5.3 An assessment of the general conformity of each policy with the current development plan is contained in Table B below.

Table B: Neighbourhood Plan & Development Plan Conformity Summary

No.	Policy Title & Refs	Commentary
B1	Burghclere Settlement Boundary	<ul style="list-style-type: none"> • <i>'Within the period 2011 – 2029, the Local Plan will make provision to meet 15,300 dwellings and associated infrastructure. This will be provided by:</i> <ul style="list-style-type: none"> <i>a) Permitting development and redevelopment within the defined Settlement Policy Boundaries, which contribute to social, economic and environmental well-being; Sites outside of defined Settlement Policy Boundaries will be considered to lie in the countryside; ...</i> <i>e) Supporting the delivery of new homes through Neighbourhood Planning, in line with Policy SS5; and</i> <i>f) Permitting exception sites located outside of defined Settlement Policy Boundaries where it meets criteria set out in the other policies in the plan or it is essential for the proposal to be located in the countryside.'</i> (Local Plan Policy SS1) <p>The policy does not attempt to revise the ways in which development plan policies apply within the settlement boundaries or countryside areas, it only updates the boundary accommodating the allocation made in Policy B2 of the Plan and the 6 dwellings recently completed at Sandham House off Pound Lane thereby updating the boundary shown on the Local Plan Policies Map.</p>
B2	Land off Harts Lane / Winchester Road	<ul style="list-style-type: none"> • <i>"...A further 150 homes will need to be identified in areas outside of those listed above and it will be necessary to identify sites/opportunities to deliver at least 10 homes within and adjacent to each of the settlements with defined Settlement Policy Boundaries..."</i> (Local Plan Policy SS5) • <i>"Development will be permitted where the mix of market housing:</i> <ul style="list-style-type: none"> <i>a) includes a range of house type11 and size to address local requirements..."</i> (Local Plan Policy CN3) • <i>"Development proposals will be permitted where they: ...</i> <ul style="list-style-type: none"> <i>c) Provide new facilities, in accordance with adopted council standards, where there is evidence of need that cannot be met by existing provision; ..."</i> (Local Plan Policy CN8) • <i>"...Development should be of high quality, sustainable in design, construction and layout, offering maximum flexibility in the choice of travel modes, including walking and cycling, and with accessibility for all potential users..."</i> (Local Plan Policy CN9)

		<ul style="list-style-type: none"> • "...Development proposals in the NWD AONB or its setting will also be determined in accordance with national planning policy and criteria set out in the North Wessex Downs NWD AONB Management Plan." (Local Plan Policy EM1) • "Development proposals will only be permitted if significant harm to biodiversity and/ or geodiversity resulting from a development can be avoided or, if that is not possible, adequately mitigated..." (Local Plan Policy EM4) • "...Development proposals will be permitted where it can be clearly demonstrated that green infrastructure can be provided and phased to support the requirements of proposed development and be in accordance with the council's adopted green space standards. Green space and equipped play will normally be provided on-site...." (Local Plan Policy EM5) • "All development proposals will be of high quality, based upon a robust design-led approach.... All development proposals will be required to respect the local environment and amenities of neighbouring properties in accordance with the principles set out below..." (Local Plan Policy EM10) • "All development must conserve or enhance the quality of the borough's heritage assets in a manner appropriate to their significance..." (Local Plan Policy EM11) • "To support the rural economy, development proposals for economic uses in the countryside will be permitted where they:... e) Are for a small-scale new business, provided it is not in an isolated location..." (Local Plan Policy EP4) <p>The policy adopts the Local Plan approach to affordable housing in terms of quantum and type but encouragement is offered to the landowner, a future developer and a Community Land Trust to agree a means by which the Trust is a delivery partner.</p> <p>The policy accords with each of the Local Plan policies and in some cases supplements them to draw specific attention to key mitigation measures. In respect of housing mix, the evidence gathered during the preparation of the Plan indicates that there is an imbalance in Burghclere's housing stock.</p> <p>'Supplement' in this context, and in the context of other policies in this Plan, means providing more detail to ensure the policy is locally distinctive (§28)</p>
B3	Land for Future Development	<ul style="list-style-type: none"> • "...A further 150 homes will need to be identified in areas outside of those listed above and it will be necessary to identify sites/opportunities to deliver at least 10 homes within and

		<p><i>adjacent to each of the settlements with defined Settlement Policy Boundaries... The delivery of housing which meets the requirements of this policy will be monitored annually by the council to ensure the housing requirement is met and the council reserves the right to identify opportunities to address any shortfall through the DPD process...." (Local Plan Policy SS5)</i></p> <p>The decision to direct future growth to a specific location rather than to allocate additional land will not compromise the ability of the Plan to contribute to meeting local housing need of Policy SS5 up to 2029. It provides the Plan with flexibility to accommodate future housing growth should this be necessary as a result of the Local Plan Review; flexibility being a key tenet of plan-making (§11a).</p> <p>The policy also requires compliance with the development management policies of the development plan, and where necessary the NWD AONB Management Plan.</p>
B4	Residential Garden Land	No current development plan provision.
B5	Housing mix and tenure	<ul style="list-style-type: none"> • <i>"The council will require 40% affordable housing on all market housing sites. On-site provision will be expected for 5 or more net residential units. In exceptional circumstances off-site provision or financial contributions of equivalent value will be accepted.... The tenure split of affordable homes will be 70% rented and 30% intermediate products." (Local Plan Policy CN1)</i> • <i>"Development will be permitted where the mix of market housing: <ol style="list-style-type: none"> a) includes a range of house type and size to address local requirements..." (Local Plan Policy CN3)</i> <p>The evidence gathered during the preparation of the Plan indicates that there is an imbalance in Burghclere's housing stock. The existing stock of 4 bed houses in Burghclere is significantly higher than in the more urban areas of the Borough. Policy CN1 requires a mix of housing types, which is reflected in the policy but, the policy requires that a special emphasis is given to delivering homes that are suitable for first time buyers, those looking to rent their first homes or 'downsizers'. In defining that emphasis, the policy gives priority to meeting the housing need of different groups, in this case younger people and 'downsizers'.</p> <p>The policy adopts the Local Plan approach to affordable housing in terms of quantum and type but encouragement is offered to landowners, future developers and a Community Land Trust, or equivalent body, to agree a means by which the Trust is a delivery partner. It is unfortunate that</p>

		<p>this cannot be made a requirement in the policy – the Local Plan makes no provision for such initiatives – but the Borough Council has indicated supported for such initiatives.</p>
B6	Rural Employment	<ul style="list-style-type: none"> • <i>'To support the rural economy, development proposals for economic uses in the countryside will be permitted where they:</i> <ul style="list-style-type: none"> a) <i>Are on previously developed land; or</i> b) <i>Are for a change of use or conversion of a suitable permanent building; or</i> c) <i>Are for a replacement building that is not temporary in nature or for an extension to an existing building, provided that the proposal should not require substantial rebuilding, extension or alteration, and should not result in the requirement for another building to fulfil the function of the building being converted or replaced; or</i> d) <i>Enable the continuing sustainability or expansion of a business or enterprise, including development where it supports a farm diversification scheme and the main agricultural enterprise; or</i> e) <i>Are for a small-scale new business, provided it is not in an isolated location...'</i> (Local Plan Policy EP4) <p>The policy is consistent with the provisions of this adopted Local Plan Policy in respect of its encouragement of rural employment.</p>
B7	High Quality Design	<ul style="list-style-type: none"> • <i>'All development proposals will be of high quality, based upon a robust design-led approach. Development proposals (excluding household extensions) will be permitted where they:</i> <ul style="list-style-type: none"> a) <i>Contribute to the provision of neighbourhoods and places for work and leisure that are well connected, accessible, safe, easy for people to find their way around and, function well in practical terms;</i> b) <i>Are accessible to all and promote buildings that are durable, adaptable and able to respond to changing social, environmental, technological and economic conditions;</i> c) <i>Positively contribute to the appearance and use of streets and other public spaces;</i> d) <i>Promote the efficient use of land and achieve appropriate housing densities which respond to the local context, as informed by community documents, and which take into account the urban, suburban or rural location of the site;</i> e) <i>Provide a co-ordinated and comprehensive scheme that does not prejudice the future development or design of adjoining sites; and</i> f) <i>Minimise energy consumption through sustainable approaches to design.</i>

		<p>All development proposals will be required to respect the local environment and amenities of neighbouring properties in accordance with the principles set out below. Development proposals will be permitted where they:</p> <p>a) Positively contribute to local distinctiveness, the sense of place and the existing street scene, taking into account all relevant SPDs and community documents that identify the local character and distinctiveness of an area which is valued by local communities, whilst allowing for innovation where appropriate;..." (Local Plan Policy EM10)</p> <ul style="list-style-type: none"> • "All development must conserve or enhance the quality of the borough's heritage assets in a manner appropriate to their significance...." (Local Plan Policy EM11) • "Development proposals in the AONB or its setting will also be determined in accordance with national planning policy and criteria set out in the North Wessex Downs AONB Management Plan." (Local Plan Policy EM1) <p>The policy supplements Local Plan Policy EM10 by identifying specific design features of the Parish and by cross referring to the revised Design Statement of the village of Burghclere. Its provisions are also consistent with Local Plan Policy EM11 on heritage assets in relation to the listed buildings in the Parish and Local Plan Policy EM1 in relation to the North Wessex Downs AONB.</p>
B8	Sustainable Design Standards	<ul style="list-style-type: none"> • All development proposals will be of high quality, based upon a robust design-led approach. • Development proposals (excluding household extensions) will be permitted where they: <ul style="list-style-type: none"> b) Are accessible to all and promote buildings that are durable, adaptable and able to respond to changing social, environmental, technological and economic conditions;... f) Minimise energy consumption through sustainable approaches to design..." (Local Plan Policy EM10) <p>There is no current development plan provision in relation to the National Design Guide although the Housing and Sustainability SPD provides guidance on a number of aspects of the Guidance. Nonetheless, the policy is consistent with, and supplements, Local Plan policy in terms of securing well design development and proposals making contributions to minimising carbon dioxide emissions.</p>
B9	Local Heritage Assets	<ul style="list-style-type: none"> • 'All development must conserve or enhance the quality of the borough's heritage assets in a manner appropriate to their significance...." (Local Plan Policy EM11)

		<p>In its supporting text (§6.89), Local Plan Policy makes it clear that there are a number of non-designated heritage assets across the borough and are not exclusively those that are identified on the Local List. The policy therefore defines additional buildings to those already included on the Local List to which Local Plan Policy EM11 will apply.</p>
B10	Landscape	<ul style="list-style-type: none"> • <i>‘Development will be permitted only where it can be demonstrated, through an appropriate assessment, that the proposals are sympathetic to the character and visual quality of the area concerned. 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:</i> <ol style="list-style-type: none"> <i>a) The particular qualities identified within the council's landscape character assessment and any subsequent updates or relevant guidance;</i> <i>b) The visual amenity and scenic quality;</i> <i>c) The setting of a settlement, including important views to, across, within and out of settlements;</i> <i>d) The local character of buildings and settlements, including important open areas;</i> <i>e) Trees, ancient woodland, hedgerows, water features such as rivers and other landscape features and their function as ecological networks;</i> <i>f) Intrinsically dark landscapes;</i> <i>g) Historic landscapes, parks and gardens and features; and</i> <i>h) The character of the borough's rivers and tributaries, including the River Loddon and Test, which should be safeguarded....</i> <p><i>Designation of the North Wessex Downs Area of Outstanding Natural Beauty reflects the national importance of that landscape and its setting. Development proposals in the NWD AONB or its setting will also be determined in accordance with national planning policy and criteria set out in the North Wessex Downs AONB Management Plan.” (Local Plan Policy EM1)</i></p> • <i>“All development must conserve or enhance the quality of the borough's heritage assets in a manner appropriate to their significance....” (Local Plan Policy EM11)</i> <p>The policy is consistent with, and supplements, Local Plan policies in identifying at a local scale key landscape and heritage-related attributes that form an essential part of the character of the parish.</p>

B11	Important Views	<ul style="list-style-type: none"> • <i>'Development will be permitted only where it can be demonstrated, through an appropriate assessment, that the proposals are sympathetic to the character and visual quality of the area concerned. 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: ...</i> <i>c) The setting of a settlement, including important views to, across, within and out of settlements; ..." (Policy EM1)</i> <p>The policy is consistent with, and supplements, Local Plan policy in identifying important views that form an essential part of the character of the parish.</p>
B12	Green Infrastructure and Biodiversity	<ul style="list-style-type: none"> • <i>"Development proposals will only be permitted if significant harm to biodiversity and/or geodiversity resulting from a development can be avoided or, if that is not possible, adequately mitigated and where it can be clearly demonstrated that:</i> <i>a) There will be no adverse impact on the conservation status of key species; and</i> <i>b) There will be no adverse impact on the integrity of designated and proposed European designated sites; and</i> <i>c) There will be no harm to nationally designated sites; and</i> <i>d) There will be no harm to locally designated sites including Sites of Importance for Nature Conservation (SINCs) and Local Nature Reserves (LNRs); and</i> <i>e) There will be no loss or deterioration of a key habitat type, including irreplaceable habitats; and</i> <i>f) There will be no harm to the integrity of linkages between designated sites and key habitats. ...</i> <i>In order to secure opportunities for biodiversity improvement, relevant development proposals will be required to include proportionate measures to contribute, where possible, to a net gain in biodiversity, through creation, restoration, enhancement and management of habitats and features including measures that help to link key habitats. Approaches to secure improvements could be achieved through:</i> <i>a) A focus on identified Biodiversity Opportunity Areas and Biodiversity Priority Areas as identified in the councils Green Infrastructure Strategy (and subsequent updates) where appropriate; and through</i> <i>b) On-site and/ or off-site provision linked to new development in accordance with the council's adopted green space standards." (Local Plan Policy EM4)</i> • <i>"Development proposals will only be permitted where they do not:</i> <i>a) Prejudice the delivery of the council's Green Infrastructure Strategy (and subsequent updates);</i>

		<p>b) Result in the fragmentation of the green infrastructure network by severing important corridors/links; or</p> <p>c) Result in undue pressure on the network which cannot be fully mitigated.</p> <p>The council will support proposals which seek to improve links and remedy identified deficiencies in the green infrastructure network in accordance with the council's Green Infrastructure Strategy.</p> <p>The council will seek to protect and enhance the quality and extent of public open space and public rights of way. ..." (Local Plan Policy EM5)</p> <ul style="list-style-type: none"> • "...Development should be of high quality, sustainable in design, construction and layout, offering maximum flexibility in the choice of travel modes, including walking and cycling, and with accessibility for all potential users. ..." (Local Plan Policy CN9) <p>The policy is consistent, and supplements, these policies to acknowledge the extent of the existing Green Infrastructure Network, including biodiversity, in the Parish.</p>
B13	Local Green Spaces	<ul style="list-style-type: none"> • "Development proposals will only be permitted where they do not: <ul style="list-style-type: none"> a) Prejudice the delivery of the council's Green Infrastructure Strategy (and subsequent updates);" (Local Plan Policy EM5) <p>Although there is no current development plan provision for designating Local Green Spaces, the policy complements the Borough Council's Green Infrastructure Strategy (November 2018) in identifying important green spaces that contribute to the Green Infrastructure Network.</p>
B14	Community Facilities	<ul style="list-style-type: none"> • "Development proposals will be permitted where they: <ul style="list-style-type: none"> a) Retain and maintain existing facilities which are valued by the community; b) Improve the quality and capacity of facilities valued by the community; c) Provide new facilities, in accordance with adopted council standards, where there is evidence of need that cannot be met by existing provision; and d) Are delivered to prescribed timescales to meet the needs of the community that are being provided for. <p>Where opportunities exist, the council will support the co-location of community, leisure and culture facilities and other local services.</p> <p>Proposals that would result in the loss of valued facilities currently or last used for the provision of community, leisure and cultural activities will only be permitted if it is demonstrated that:</p> <ul style="list-style-type: none"> e) The facility is no longer needed for any of the functions that it can perform; or f) It is demonstrated that it is no longer practical, desirable or viable to retain them; or

		<p>g) Any proposed replacement or improved facilities will be equivalent or better in terms of quality, quantity and accessibility and there will be no overall reduction in the level of facilities in the area in which the existing development is located; or</p> <p>h) The proposal will clearly provide sufficient community benefit to outweigh the loss of the existing facility, meeting evidence of a local need.</p> <p>Any development proposals that would result in the loss of community, leisure and cultural facilities must be accompanied by an assessment which clearly shows the facility or land to be surplus to requirements. As a minimum the assessment must evaluate the quantity and quality of existing facilities in the locality and assess the need and value to the community. The views of the local community on any loss must be sought as part of this assessment.</p> <p>The council will work positively with communities, including local voluntary organisations, and support proposals to develop, retain, improve or re-use community, leisure or cultural facilities, including those set out in Neighbourhood Plans/Orders including Community Right to Build Orders, along with the appropriate supporting development which may make such provision economically viable.</p> <p>The policy identifies those community facilities in the Parish and is consistent with the policy in its requirements of development proposals. It adds further provisions to protect and ensure longer term viability of those facilities.</p>
B15	Tourism	<ul style="list-style-type: none"> • "Proposals for tourism development in the countryside (including guest accommodation and visitor facilities) will be permitted where: <ul style="list-style-type: none"> a) It utilises an existing suitable building through change of use or conversion without the need for substantial rebuilding, extension or alteration, and will not result in the requirement for another building to fulfil the function of the building being converted; or b) Any extension or new building forms part of an existing facility and is of a scale appropriate to its location; and c) The scale of development is appropriate when considering the impacts on the local highway network. <p>The policy is consistent with the provisions of this adopted Local Plan Policy in respect of its encouragement of rural tourism.</p>
B16	Managing Traffic	<ul style="list-style-type: none"> • "The council will work in partnership to promote a safe, efficient and convenient transport system... Development proposals will be permitted that:

		<p>a) Integrate into existing movement networks; b) Provide safe, suitable and convenient access for all potential users; c) Provide an on-site movement layout compatible for all potential users with appropriate parking and servicing provision; and d) Do not result in inappropriate traffic generation or compromise highway safety. ... Development should be of high quality, sustainable in design, construction and layout, offering maximum flexibility in the choice of travel modes, including walking and cycling, and with accessibility for all potential users. Development will be permitted where it: e) Does not have a severe impact on the operation, safety or accessibility to the local or strategic highway networks; f) Mitigates impacts on the local or strategic highway networks, arising from the development itself or the cumulative effects of development, through the provision of, or contributions towards, necessary and relevant transport improvements, including those secured by legal agreements or through the Community Infrastructure Levy; ..." (Local Plan Policy CN9)</p> <p>The policy is consistent with the provisions of this adopted Local Plan Policy in respect of its encouragement of a safe, efficient and convenient transport system and contributions towards traffic management measures.</p>
B17	Car Parking	<ul style="list-style-type: none"> • "Development should be of high quality, sustainable in design, construction and layout, offering maximum flexibility in the choice of travel modes, including walking and cycling, and with accessibility for all potential users. Development will be permitted where it: ... h) Provides appropriate parking provision, in terms of amount, design and layout, in accordance with the adopted Parking Standards; ..." (Local Plan Policy CN9) <p>The policy is consistent with the provisions of this adopted Local Plan Policy in respect of parking standards and signals the existing position in the Parish for the future review of the Parking Standards.</p>

6. COMPATABILITY WITH EU LEGISLATIONS

6.1 As set out in Section 4 the Parish Council has met its obligations in relation to the EU Directive on the requirement of a SEA. The District Council screening opinion of November 2018 concluded that *“it is considered that significant effects on the environment are likely and hence a SEA is required.”* (see screening opinion published separately). Mindful of the EU Directive/Regulations and of the obligations of the Plan to meet the Basic Conditions (in terms of demonstrating it will ‘contribute to the achievement of sustainable development’), the Parish Council followed the statutory SEA process and chose to undertake this as part of a wider SA.

6.2 In the same screening opinion, the District Council also screened for effects in relation to the European Directive 92/43/EEC on the Conservation of Natural Habitats and Wild Flora and Conservation of Habitats and Species Regulations 2010 (as amended). Its screening opinion concludes *“the Plan should not be subject to a Habitat Regulations Assessment.”*

6.3 The Parish Council has been mindful of the fundamental rights and freedoms guaranteed under the European Convention on Human Rights in process of preparing the Neighbourhood Plan and considers that it complies with the Human Rights Act.

6.4 An Equalities Impact Assessment is attached overleaf.

Equalities Impact Assessment

Burghclere Neighbourhood Development Plan

1. Introduction

1.1. 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.

1.2. “Protected characteristics” are age, disability, gender reassignment, marriage & civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

1.3. This report assesses the Submission Burghclere Neighbourhood Development Plan (BNDP) to ensure that Burghclere Parish Council (as the qualifying body responsible for preparing the BNDP) is satisfying its statutory duties in this regard. Equality Impact Assessment (EqIA) is a systematic analysis of a policy or policies, in order to explore the potential for an adverse impact on a particular group or community. It is a method of assessing and recording the likely differential and/or adverse impact of a policy on people from different groups. If a policy results in unfairness or discrimination then changes to eliminate or lessen the impact should be considered.

1.4. The purpose of the analysis is to increase participation and inclusion, to change the culture of public decision-making and to place a more proactive approach to the promotion of equality and fairness at the heart of public policy. The processes involved in conducting the analysis should not be looked on as an end in themselves. Instead, it should be borne in mind that the aim is the promotion of fairness and equality of opportunity and thus it is the outcomes that are of primary concern. In undertaking the EqIA, it is important to keep in mind why the BNDP is needed, what the intended outcomes are, and how it will be ensured that the policies will work as intended.

2. Methodology

2.1. An assessment has been made on whether the BNDP has a positive, negative or neutral impact on each of the protected characteristics (in so far as data is available). The vision and objectives of the BNDP have been assessed, and individual policies are highlighted where they are considered likely to have a negative impact.

3. Baseline data

3.1. Data for the Parish of Burghclere is available from the 2011 Census for the following protected characteristics: age, sex, disability, race and religious belief.

3.2. No data is available for the following protected characteristics: gender reassignment, marriage and civil partnership, pregnancy and maternity and sexual orientation.

Burghclere neighbourhood area – population characteristics

Total Population – 1.152

Age: 20.7% of the population are children aged 15 or less, 61.8% are in the working age groups up to the age of 64, and 17.4% are aged over 65. This means that the population has a slightly older profile than the national average.

Sex: 589 males, 563 females.

Main language; English is the main language for 97.2% of residents.

Country of birth; 91.7% of residents were born in the UK. 3.6% were born in the EU and 4.7% were born elsewhere.

Ethnic group: 98% of the population is British White, 1.1% Mixed/multiple ethnic, 0.6% Asian/Asian British, 0.1% Black/African/Caribbean/Black British.

Religion: 72.9% of residents are Christian. 19.2% of residents do not have a religion. 6.8% of residents did not state their religion in the 2011 Census.

Health: The local community is generally healthy, with the great majority reporting “very good” or “good” health at the time of the 2011 Census. Nevertheless, 19.8% of the local population reported long term health problems or a disability but this is in line with the national average.

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

4. Process of Community Consultation

4.1. All written communication was in English and it was not considered necessary to translate them into any other language.

4.2. Throughout the preparation of the BNDP the Parish Council has encouraged engagement with the local community in planning for the future development of the parish.

4.3 Consultation has taken place after widespread advertisement. Updates have been published monthly in the Parish magazine and online on the Parish website. Further updates have been added to nextdoor.com website. E-copies of the draft NDP and supporting documents were on the Regulation 14 pre-submission page of the parish council website and notified to every household. Printed copies of the draft NDP were available on request.

5. Impact on Groups with Protected Characteristics

5.1. The Vision Statement for neighbourhood area in 2036 is:

“Burghclere village has grown whilst retaining its special rural qualities. Growth has not undermined the landscape and has preserved the essential character of the parish, village and outlying hamlets, and important views into and from the countryside.

New homes have helped address local need and sustain the demand for cherished community facilities – the Portal Hall, recreation ground and the local schools.

The design of new homes on the edge of and on infill sites within the village respect local character. There is a wider range of entry level housing types that enable younger people to find homes and older households to downsize. There are also now more affordable homes in the village.

Technological changes have resulted in increased use of fuelefficient and electric modes of transport, benefiting the environment. These also allow more working from home rather than reliance on commuting. The growth of new micro-businesses throughout the parish means the parish is more self-contained.

Recognition of the benefits of rural biodiversity has enhanced the connectivity between the village and the countryside. The development of the parish has not only avoided harm to its biodiversity but has also helped create new ecological value.

The tourism potential of the area has been realised and has led to new local employment opportunities. Beacon Hill, Sandham Memorial Chapel and activities at the Recreation Ground continue to thrive. There are improved village car parking facilities.”

5.2. The BNDP contains a series of objectives, these set out how the Parish Council proposes to deliver its Vision for the area up to 2036. Delivery of the objectives will be through both planning policies and community actions. Each objective is reviewed to assess whether it is likely to have an impact on groups within the parish with protected characteristics:

Objective	Likely impact	Commentary
1 Housing	Positive	This objective seeks to ensure that all new development provides excellent affordable housing and work spaces, for sale or rent that contribute to safe sustainable and mixed communities with good access to local jobs and essential services. This objective is expected to have a positive impact on all sectors of the community but particularly those with limited mobility and specific housing needs. This objective also seeks to rebalance the current housing stock by encouraging affordable housing and by increasing the number of smaller properties suitable for young people and older people wishing to down size.
2 Design, Heritage and Landscape	Neutral	This objective seeks to ensure that new development respects local character in respect of design and layout, and in light of climate change, sustainability. It also seeks to protect heritage and other important assets across the parish and is considered to have a neutral impact on groups within the community with protected characteristics.
3 Environment	Positive	This objective seeks to protect and enhance open spaces and biodiversity within the parish by providing green corridors, green spaces and green infrastructure. This objective is deemed to have a positive well-being impact on groups within the community with protected characteristics.
4 Business & Tourism	Neutral	This objective seeks to enhance business and tourism opportunities in the parish and allow such sites more accessible to visitors. This objective is deemed to have a neutral impact on groups within the community with protected characteristics.
5 Traffic and Parking	Neutral	This objective seeks to make provision for traffic mitigation and traffic flow, with concomitant aim to make the roads in the parish safer for all users including those requiring mobility assistance. It also aims to provide more better parking facilities that would benefit groups in the community with protected characteristics.

5.3. All of the BNDP objectives are considered to have a positive or neutral impact.

6. Conclusion

- 6.1. The BNDP provides a suite of objectives and policies to respond to the vision for the benefit of the local community as a whole, including those with protected characteristics, but perhaps most particularly young people, older people and those with limited mobility.
- 6.2. In conclusion, this assessment finds the BNDP to be appropriate and that the duty of care prescribed by the Equalities Act 2010 is met.