

ECCHINSWELL, SYDMONTON AND BISHOPS GREEN  
NEIGHBOURHOOD PLAN

2021 - 2039

OCTOBER 2022

BASIC CONDITIONS STATEMENT

Published by Echchinswell, Sydmonton and Bishops Green Parish Council  
under the Neighbourhood Planning (General) Regulations 2012 (as amended)

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1.2 The Neighbourhood Plan has been prepared by the Parish Council, the ‘Qualifying Body’, for the Neighbourhood Area (“the Area”), which coincides with the boundary of the parish as shown on Plan A above. B&DBC designated the Area on 24 February 2021.

1.3 The policies described in the Neighbourhood Plan relate to the development and use of land in the designated Area. They do not relate to ‘excluded development’, as defined by the Regulations. The plan period of the Neighbourhood Plan is from 2021 to 2039, the end date of which corresponds with the proposed end of the plan period for the emerging Basingstoke and Dean Local Plan Update.

1.4 The statement addresses each of the four ‘Basic Conditions’, which are relevant to this plan, required of the Regulations and explains how the submitted Neighbourhood Plan meets the requirements of paragraph 8 of Schedule 4B to the 1990 Parish & Country Planning Act.

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

- a) Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the Neighbourhood Development Plan,
- b) (Not relevant for this Neighbourhood Plan),
- c) (Not relevant for this Neighbourhood Plan),
- d) The making of the Neighbourhood Development Plan contributes to the achievement of sustainable development,
- e) 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),
- f) The making of the Neighbourhood Development Plan does not breach, and is otherwise compatible with EU obligations that have been incorporated into UK law,
- g) prescribed conditions are met in relation to the Neighbourhood Development Plan and prescribed matters have been complied with in connection with the proposal for the Plan (in respect of the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017 and other material considerations).

1.6 The responsibility for determining if a Neighbourhood Plan has had regard to national policy and is in general conformity with strategic policy rests lies with a combination of the qualifying body, the local planning authority and the independent examiner (Planning Practice Guidance §41-070 and §410-074). Case law, established in the Tattenhall Neighbourhood Plan in 2014 (see §82 of EWHC 1470) but endorsed by the Courts on a number of occasions since, makes clear that:

*“... the only statutory requirement imposed by Condition (e) is that the Neighbourhood Plan as a whole should be in general conformity with the adopted Development Plan as a whole ... any tension between one policy in the Neighbourhood Plan and one element of the ... Local Plan (is) not a matter for the Examiner to determine.” (our emphasis)*

1.7 It is noted that the case law has not yet explicitly established the same principle for Condition (a) in respect of the regard to national policy, but it seems reasonable to expect the Courts would reach the same conclusion, given there will also be a range national policies influencing plan making, and that some of those policies may also be in tension. In any event, the Parish Council and B&DBC have worked closely together in preparing the Neighbourhood Plan to attempt to avoid any disagreement on these matters in its submitted version (see §2.4 for further details).

1.8 The Parish Council has also been mindful of the ‘Levelling Up & Regeneration’ Bill places before Parliament in May 2022. The Bill proposes to make some changes to both the development plan and management system. It indicates that there is a future for neighbourhood planning in that system. Once the Bill has received Royal Assent and the associated regulations and changes to national policy are in place, necessary amendments to the proposed policy provisions will be considered in a first review of the made Neighbourhood Plan, should this be necessary.

## 2.BACKGROUND

2.1 The decision to proceed with a Neighbourhood Plan was made by the Parish Council in 2021. With the encouragement of the Borough Council to local communities across the borough to prepare Neighbourhood Plans, the main impetus for this decision was a sense of wanting to plan positively for the future of the parish in the light of community concerns over the submission of a large scale planning application in its area and B&DBC beginning the process of updating the adopted Local Plan which indicated that there might be a modest allocation of housing directed towards the parish.

2.2 The Parish Council wished to use its neighbourhood plan as a means of demonstrating the validity of its vision and how this would lead to sustainable development in keeping with the rural character of the parish. It accepted that simply objecting to development proposals coming forward in the parish rather than proposing its own vision for sustainable development would undermine its case.

2.3 A Steering Group was formed comprising 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 formal documents.

2.4 The Parish Council has consulted local communities extensively over the duration of the project with a series of drop-in events and other engagement activities, which are described in the separate Consultation Statement. It has also worked closely with officers of B&DBC although there remains one unresolved difference of opinion in respect of one policy meeting the basic conditions.

2.5 In this regard the Parish Council acknowledges that the Planning Practice Guidance (§41-053) states that “it is only after the independent examination has taken place and after the examiner’s report has been received that the local planning authority comes to its formal view on whether the draft neighbourhood plan meets the basic conditions.” However, it is also mindful that, once submitted for examination, it has no further opportunity to modify the Neighbourhood Plan, other than through its withdrawal and resubmission. Further, S12(4) of the Town & Country Planning Act 1990 defines the local planning authority as the decision maker in respect of determining if the basic conditions have been met in order to make a neighbourhood plan, with modifications to the submitted plan as necessary. But, the Planning Practice Guidance regards the task of arriving at a planning judgement to be shared by the local planning authority, the qualifying body and examiner during the examination, in collectively considering if the basic conditions have been met (§41-070 and §41-074).

2.6 The Neighbourhood Plan contains seventeen land use policies (ESBG1 – ESBG17), some of which are defined on the Policies Map where they apply to a specific part of the area. The Plan has deliberately avoided containing policies that unnecessarily duplicate saved 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 and development management matters that seek to refine and/or update existing policies.

### **3. CONDITION (A): REGARD TO 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) of 2021 and is mindful of the Planning Practice Guidance (PPG) in respect of formulating Neighbourhood Plans. In overall terms, there are six NPPF paragraphs (§13, §18, §28, §29, §31 and §67) that provide general guidance on neighbourhood planning, to which the Neighbourhood Plan has directly responded:

#### General Paragraphs

3.2 The Parish Council believes the Neighbourhood Plan “support(s) the delivery of strategic policies contained in (the) local plan ... and ... shape(s) and direct(s) development that is outside of these strategic policies” (§13). It considers the Neighbourhood Plan contains only non-strategic policy proposals or proposals that refine strategic policy to fit the circumstances of the designated area without undermining the purpose and intent of those strategic policies (§18). It considers that the Neighbourhood Plan sets out more “detailed policies for specific areas” including “allocating sites, the provision of infrastructure and community facilities at a local level, establishing design principles, conserving and enhancing the natural and historic environment and setting out other development management policies” (§28). In this regard, the NPPF provisions of meeting local housing needs as per §67 is therefore relevant to this Neighbourhood Plan. The Borough Council has confirmed that the “indicative housing requirement figure” for the Parish is fifteen. The Neighbourhood Plan does “not promote less development than set out in the strategic policies for the area or undermine those policies” (§29). The Plan is underpinned by relevant and up-to-date evidence. This is considered to be adequate and proportionate, focused tightly on supporting and justifying the policies concerned, and take(s) into account relevant market signals” (§31).

3.3 The Parish Council considers that its Neighbourhood Plan has provided its community with the power to develop a shared vision for the area that will shape, direct and help to deliver sustainable development, albeit in a modest way, by influencing local planning decisions as part of the statutory development plan. The Neighbourhood Plan contains two site allocations in the light of the new evidence communicated to the Qualifying Body on the 1<sup>st</sup> June 2022. In this regard, the NPPF provisions of meeting local housing needs as per §67 is therefore relevant to this Neighbourhood Plan, thus enabling B&DBC to engage the provisions of §14 in managing housing development proposals where necessary.

#### Specific Paragraphs

3.4 Each policy engages one or more specific paragraphs of the NPPF. Those that are considered to be of the most relevance and substance are identified in Table A below.

**Table A: Neighbourhood Plan & NPPF Conformity Summary**

| No.   | Policy Title                       | NPPF Ref.                 | Commentary  |
|-------|------------------------------------|---------------------------|---|
| ESBG1 | Settlement Boundaries              | 15, 16, 17, 124, 127, 174 | <p>Settlement Boundary-type policies are a well-established and fundamental means of enabling the plan-led system to operate effectively (as per §15) by distinguishing the built up area of the villages from the surrounding countryside. The boundary has been drawn following the conventions used by the Borough Council that also use this policy type (Policy SS1).</p> <p>The boundaries are unambiguous for all parties in the process to understand and are the product of the policies contained within the ES&amp;BG NP to deliver sustainable development (§16). The policy has been positively prepared (§16b) and is generally consistent with adopted strategic policy (§17) in reflecting the status of the parish in the Borough hierarchy.</p> <p>The policy is also consistent with §124d and §127 in requiring the design of infill schemes within the boundary to maintain the essential character of the settlements. The Design Guidance and Codes are intended to provide such clarity for applicants. For development beyond the boundary, the policy is consistent with national policy ‘recognising the intrinsic character and beauty of the countryside’ (§174b).</p> |
| ESBG2 | Housing Supply to Meet Local Needs | 62, 67, 69, 70, 78        | <p>The Borough Council’s approach to new development in villages and other rural settlements places an emphasis on neighbourhood plans. To that end it has confirmed that the ‘indicative housing figure’ for the designated neighbourhood area is fifteen (§67).</p> <p>The policy aims to deliver this housing requirement for the parish on smaller and medium size sites (§69, §70) and encourage smaller, more affordable housing types that are suited to first time buyers and downsizers (§62) to tackle a trend towards larger, more expensive housing stock in the</p>  |

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|-------|--------------------------|---|---|
|       |                          |   | <p>parish. The precise housing mix and tenure is left to Borough Council policies; however the policy encourages a starting point for the mix and tenure of new homes suitable to meet local need for different groups in the community, in line with §62 and §78.</p>  |
| ESBG3 | Housing in Bishops Green | 14, 16, 17, 32, 56 – 58, 62, 67, 70, 78, 105, 126, 127, 179 | <p>The policy allocates land for approximately 15 new homes on land within the defined settlement boundary of Policy ESBG1 and an area of publicly accessible green space.</p> <p>The allocated site will result in a modest increase in the provision of new homes in Bishops Green proposed in the update to the Local Plan while also contributing to the quantum of further homes identified in areas outside those listed in Policy SS5. The policy is therefore consistent with strategic policy, as per §17, and with the indicative housing requirement figure provided to the qualifying body (§67)</p> <p>To respond to the location of the settlement in a rural area, particular consideration was given to small and medium-sized sites suitable for housing in the area in accordance with §70 on small and medium-sized sites and responding to local circumstances.</p> <p>The process for selecting the sites has followed the relevant guidance and legal requirements. The site assessment process (set out in detail in the separate Site Assessment Report) has gathered and analysed relevant, up-to-date and proportionate evidence from the land interests and other sources (§31). It focussed on essential evidence, which included a Strategic Environmental Assessment that has been synchronised with the site assessment process, as per the Regulations, Planning Practice Guidance and §32.</p> <p>The precise housing mix and tenure is left to Borough Council policies; however the policy encourages a starting point for the mix and tenure to meet local need for different groups in the community, in line with §62 and</p> |

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|  |  | <p>§78. It is recognised that the opportunities to maximise sustainable transport solutions is limited in this rural location and proposals for significant development have therefore been avoided (§105).</p> <p>The policy also acknowledges that 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. Being clear about design expectations, and how these will be tested, is essential for achieving this (§126). The policy identifies the key development and design principles that are required to be addressed in subsequent planning applications if those proposals are to secure the benefit of being in conformity with the development plan and acceptable to the community (§127). They may form planning conditions and obligations and the landowner has agreed that such principles are necessary, relevant and reasonable, as per §56 - §58. In doing so, the landowner has confirmed that the allocation policy is considered viable and so no separate viability assessment has been necessary.</p> <p>In respect of contributing to and enhancing the natural and local environment, the mitigation strategy includes having regard to the wider landscape character in the layout and heights of buildings, retaining existing landscape features as well as new planting, and delivering a measurable ‘net gain’ in general biodiversity value on the site. The policy also makes provision for new green infrastructure and ecological connectivity (§179)</p> <p>In summary, the policy seeks to balance the objective of maximising sustainable transport solutions with that of supporting housing developments that reflect local needs. The NPPF recognises that such opportunities will vary between urban and rural areas, and this has been taken into account here. The Parish Council has attributed <b>very substantial positive weight</b> to delivering new open market and affordable homes that will go some way in addressing local need. They attribute <b>substantial</b></p> |
|--|--|---|

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|-------|------------------------|----------------------------------|--|
|       |                        |                                  | <p><b>positive weight</b> to the delivery of biodiversity net gain and green infrastructure.</p> <p>In terms of adverse effects, the majority of the effects of the development have been satisfactorily mitigated through policy provisions which will be assessed in detail at the planning application stage. For the remaining residual effects, the Parish Council attributes <b>moderate adverse weight</b> to the net additional traffic effects of development in this rural area and <b>minor adverse weight</b> to the residual effects of development on the wider landscape character.</p> <p>As a result, the Parish Council consider the positive provisions of this policy outweighs its harm.</p>  |
| ESBG4 | Housing in Ecchinswell | 56-58, 70, 79, 80, 126, 127, 176 | <p>The policy allocates this small brownfield site (§70) to respond to the modest need for homes in Ecchinswell to contribute to the vitality of the village (§79) while acknowledging the scarcity of available land.</p> <p>The scheme proposed is intended to re-use redundant buildings to enhance the immediate setting (§80c) while being sensitive to the defining characteristics of the area. The site is located on the edge of the North Wessex Downs AONB to which “Great Weight should be given to conserving and enhancing landscape and scenic beauty”.</p> <p>The scale of the proposal is limited and the design proposal intended to minimise adverse impacts on the AONB (§176). The policy provisions for the site are intended to provide clear guidance to ensure that planning applications will deliver successfully designed high quality schemes in due course as per §126 and §127.</p> <p>The policy identifies the key development and design principles that are required to be addressed in subsequent planning applications if those proposals are to secure the benefit of being in conformity with the</p> |

|       |  |                    |   |
|-------|--|--------------------|---|
|       |  |                    | development plan and acceptable to the community (§127). They may form planning conditions and obligations and the landowner has agreed that such principles are necessary, relevant and reasonable, as per §56 - §58. In doing so, the landowner has confirmed that the allocation policy is considered viable and so no separate viability assessment has been necessary.   |
| ESBG5 | Design Quality in the Parish of Ecchinswell, Sydmonton and Bishops Green | 126, 127, 128, 190 | This policy defines the special qualities of the village and is intended to ensure that these qualities shape future development in the village, as per §126 and §127. The design expectations are made clear but are not intended to be overly prescriptive, so allow for innovative design solutions (§128). With the wealth and variety of heritage assets located in the parish, the policy is especially mindful of the importance of the ‘contribution made by the historic environment to the character’ of the area (§190d).  |
| ESBG6 | Design Quality in the Ecchinswell Conservation Area                      | 127, 190           | ‘Neighbourhood planning groups can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development’ (§127). The policy seeks to bring ‘clarity about design expectations’ within the Ecchinswell Conservation Area. More generally, the policy approach follows that of the new National Model Design Code in Conservation Area Appraisal which identify the key attributes of the villagescape and ‘the desirability of new development making a positive contribution to local character and distinctiveness’ (§190c) |
| ESBG7 | Community Engagement in Planning   | 40, 41, 132, 133   | The NPF encourages ‘any applicants who are not already required to do so by law to engage with the local community... before submitting their applications.’ (§40 & §41). The National Design Guide highlights the vital role that communities play in the design process and ‘Building for a Healthy Life’ is one of a number of assessment frameworks which can assist in engagement (§132 & §133). The intention of this policy is therefore to lead to a higher standard of local community engagement in the design process and a better design outcome.                               |

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| ESBG8  | Support For Rural Businesses & Workspaces      | 84                 | The policy promotes opportunities to create suitable rural employment for local people, to provide an alternative to commuting. It acknowledges there are some successful, established employment uses in the parish beyond settlement boundaries and §84 allows for the policy to encourage them to intensify/expand in appropriate ways as long as this does not result in unacceptable impact on local roads.   |
| ESBG9  | Support For Home Working                       | 82                 | The policy acknowledges the recent pandemic has instigated a step change in the approach to working from home, although for some people the shift to home working was already underway. The policy is intended to support this trend by allowing for 'new and flexible working practices...to respond to changes in economic circumstances' (§82d)   |
| ESBG10 | Broadband & Mobile Communications              | 114                | This policy is consistent with §114, recognising the importance of high quality communications infrastructure that is essential for sustainable economic growth. This policy supports investment in securing the expansion of electronic communications networks in the parish, including next Generation mobile technology (such as 5G) and full fibre broadband connections.   |
| ESBG11 | Community Facilities                           | 92                 | This policy seeks to protect popular and cherished social, recreational and cultural facilities across the parish whilst supporting those facilities to develop and modernise providing it does not result in the unnecessary loss of valued facilities in line with §92.  |
| ESBG12 | Green Infrastructure Network & Nature Recovery | 153, 174, 175, 179 | <p>The policy defines the green infrastructure network as one means of ensuring the future resilience to climate change impacts and to support nature recovery (§153 and §174).</p> <p>The policy contributes to and enhances the natural and local environment by minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures through identifying, mapping and</p> |

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|--------|-------------------------------|---------------|--|
|        |                               |               | safeguarding these components. It is therefore consistent with the aims of §174 and §179 in these respects.  |
| ESBG13 | Valued Landscapes & Key Views | 174, 176, 190 | The policy identifies at a local scale the key landscape and heritage-related attributes that form an essential part of the character of the parish. It reflects the Government’s objective “to conserve and enhance the natural and historic environment” and to pursue these objectives at a local level (§174 and §190) and within the North Wessex Downs AONB to conserve and enhance landscape and scenic beauty (§176). The policy also identifies a number of key views which also contribute to the appreciation of the special landscape and scenic qualities of the area.  |
| ESBG14 | Local Green Spaces            | 101, 102, 103 | The policy responds to the provisions of §101 to make designation proposals, informed by its evidence base in respect of meeting the tests of §102. Its wording then reflects the Green Belt equivalency of §103.  |
| ESBG15 | Dark Skies                    | 185           | The NPPF seeks to limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation. The brightest levels of light pollution can already be seen in the parish and could be made worse by new development. The policy therefore seeks to limit the impact of light pollution in line with the provisions of §185.  |
| ESBG16 | Zero Carbon Buildings         | 56, 152, 157  | <p>This policy is a local response to a global challenge, the local community being convinced by the international evidence that ensuring zero carbon building performance through the PassivHaus standard is the most reliable approach to take. In doing so, it is consistent with the aims and provisions of §152 and §157.</p> <p>The policy supports the transition to a low carbon future in a changing climate. It should help to shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience. It encourages new development to be planned for in ways that help to reduce energy use and greenhouse gas emissions, such as through its location, orientation and design.</p> |

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|        |   |          | <p>Its requirement for schemes that choose not to meet the PassivHaus standard to demonstrate there is no energy performance gap through post occupancy evaluation is intended to incentivise the use of that low energy standard, which would guarantee no gap if certified. Its provision for post-occupancy evaluation of buildings constructed outside of the standard is consistent with PINS model conditions of this type and is therefore considered in line with the use of planning conditions, as per §56.</p> <p>The avoidance of making zero carbon a requirement – no matter how much recent events are proving its absolute long term worth for energy bills, fuel poverty and climate change mitigation – reflects current Government policy, irrespective of the Climate Change Act and all other contradictory policy announcements on this matter over the last couple of years.</p> <p>To be clear, the policy is drafted in a way that does not engage the 2016 Written Material Statement on the subject, which although now out-of-date and superseded by any number of subsequent Government policy statements, continues to be alleged as a means of preventing neighbourhood plans from contained any meaningful policy covering this agenda. The policy reflects the climate change role anticipated for neighbourhood planning by Clause 88 of the Levelling-Up &amp; Regeneration Bill.</p> |
| ESBG17 | Encouraging Active & Sustainable Travel | 104, 106 | The policy encourages transport issues to be considered from the earliest stages of development proposals so that the potential impacts on the highway network are understood and opportunities to promote walking and cycling and highway safety are identified and pursued.  |

3.5 It is considered that all of the policies have had full regard to national policy, with no incidence of two or more national policies being in tension, nor of the Parish Council having to strike a balance between them. As a result, the Neighbourhood Plan, as a whole, meets Condition (a).

## 4. CONDITION (D): 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 February 2022, 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. The separate Sustainability Appraisal (incorporating a Strategic Environmental Assessment) (SA) 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 Report (Oct 2022) concludes:

*"5.38 ...the assessment has concluded that the submission version of the ESBGNP is likely to have positive effects in relation to the 'Biodiversity and Geodiversity' SA theme by encouraging proposals that support development that is sensitive to the existing habitats, species and ecological networks, in addition to protecting these features and supporting biodiversity net gain. This includes conserving landscape features like hedgerows and trees, protecting habitats, green open spaces and important landscape areas, and maintaining and enhancing the green and blue infrastructure network.*

*5.39 Regarding the 'Climate Change' SA theme, the ESBGNP will lead to inevitable increases in greenhouse gas emissions due to an increase in the built footprint of the neighbourhood area and the rural nature of the neighbourhood area affecting travel patterns. However, the plan has the potential to lead to positive effects through supporting proposals that include low carbon technologies, and proactively responding to the potential impacts of climate change, including an increase in extreme weather events, through the delivery of green infrastructure provision and the implementation of SuDS. Policies promoting active and sustainable transportation within the ESBGNP area also work to make the plan positive in terms of climate change.*

*5.40 The ESBNGP will bring positive effects in relation to the 'Landscape' SA theme. These benefits largely relate to the ESBGNP's emphasis on reinforcing landscape character in association with the distinct character areas present in the neighbourhood area, and the special qualities of the North Wessex Down AONB.*

*5.41 The ESBGNP places the distinct historic environment of the neighbourhood area at the centre of plan policies. Whilst the site allocation under policy ESBG4 (Housing in Ecchinswell) is in proximity to the Ecchinswell Conservation Area, no significant impacts on the historic significance of the conservation area are anticipated as a result of an allocation at this site. In addition, the site allocation policy includes provision for the protection of the historic interest of the conservation area. The wider policies that conserve and enhance the historic environment and natural environment will support the conservation and enhancement of the fabric and setting of designated and non-designated heritage assets in the ESBGNP area. The policies complement the ESBG Design Guide and Codes, with further benefits for the historic environment in the neighbourhood area.*

*5.42 In terms of the 'Land, Soil and Water Resources' SA theme, the ESBGNP includes a site allocation on greenfield land and a site allocation on a site that has been previously developed. With varied levels of likelihood of BMV land in the neighbourhood area, it is possible development could result in the loss of productive agricultural land. However, the wider policies of the plan protect the area from inappropriate development and outline policies that will help support the capacity of the landscape to regulate soil and water quality. Given both sites overlap with a minerals safeguarding area, it is likely a consultation with Hampshire County Council will be necessary.*

*5.43 The ESBGNP is likely to have positive effects in relation to the 'Community Wellbeing' SA theme, due to the provision of homes suitable for older people and younger people with families, plus the provision for affordable housing. The range of types and tenures of housing facilitated by the neighbourhood plan will help reinforce community vitality and support local services and facilities. Coupled with wider plan policies related to improving community infrastructure, maintaining and enhancing green infrastructure and encouraging active transportation, the ESBGNP will support the quality of life for residents in the plan area.*

*5.44 In relation to the 'Transportation' SA theme, the ESBGNP includes policies that will help to improve access from the sites to the local transport network, outlining measures to keep residents on these sites safe on the road. Additionally, the plan supports the improvement of pedestrian and cycle access in the wider plan area (to the benefit of the residents' health and wellbeing) and encourages the development of sustainable transport provision. This demonstrates the plan has considered the impacts development will have on the local transport network and has engaged in ways to mitigate this impact. However, it is recognised sustainable transport options within the ESBGNP area are relatively limited due to the rural nature of the area, and private vehicle use will continue to allow for access to a greater number of services and amenities."*

## 5. CONDITION (E): 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 strategic policies of the Local Plan, which covers the period to 2029. In doing so, the Parish Council has worked closely with B&DBC with the aim of ensuring that both consider this basic condition has been fully met. The Parish Council has also been mindful of the provisions of the Hampshire Minerals & Waste Plan for the period to 2030 which also forms part of the development plan.

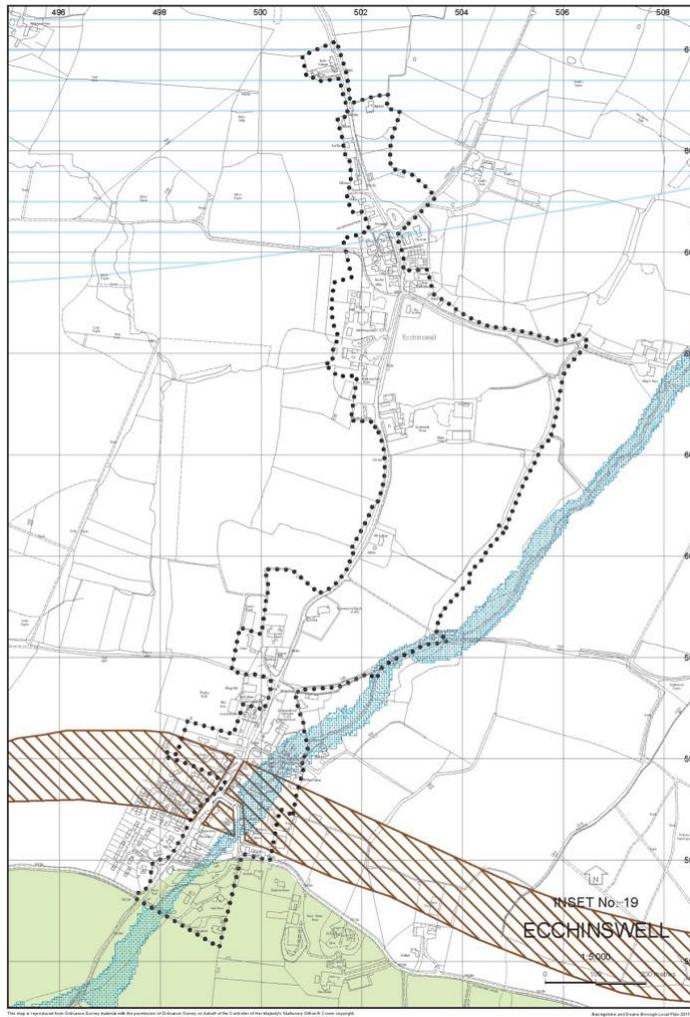
5.2 Policy 15 of the Minerals and Waste Plan identifies a number of Minerals Safeguarding Areas in the parish. These are areas where an additional test will be applied by B&DBC in order that proven resources are not needlessly sterilised by non-mineral development (see Plans B and C overleaf) As minerals and waste matters are 'excluded development' for Neighbourhood Plans, the Parish Council, where necessary, will engage in the Minerals and Waste Local Plan preparation process.

5.3 The Planning Practice Guidance (§41-074) states that:

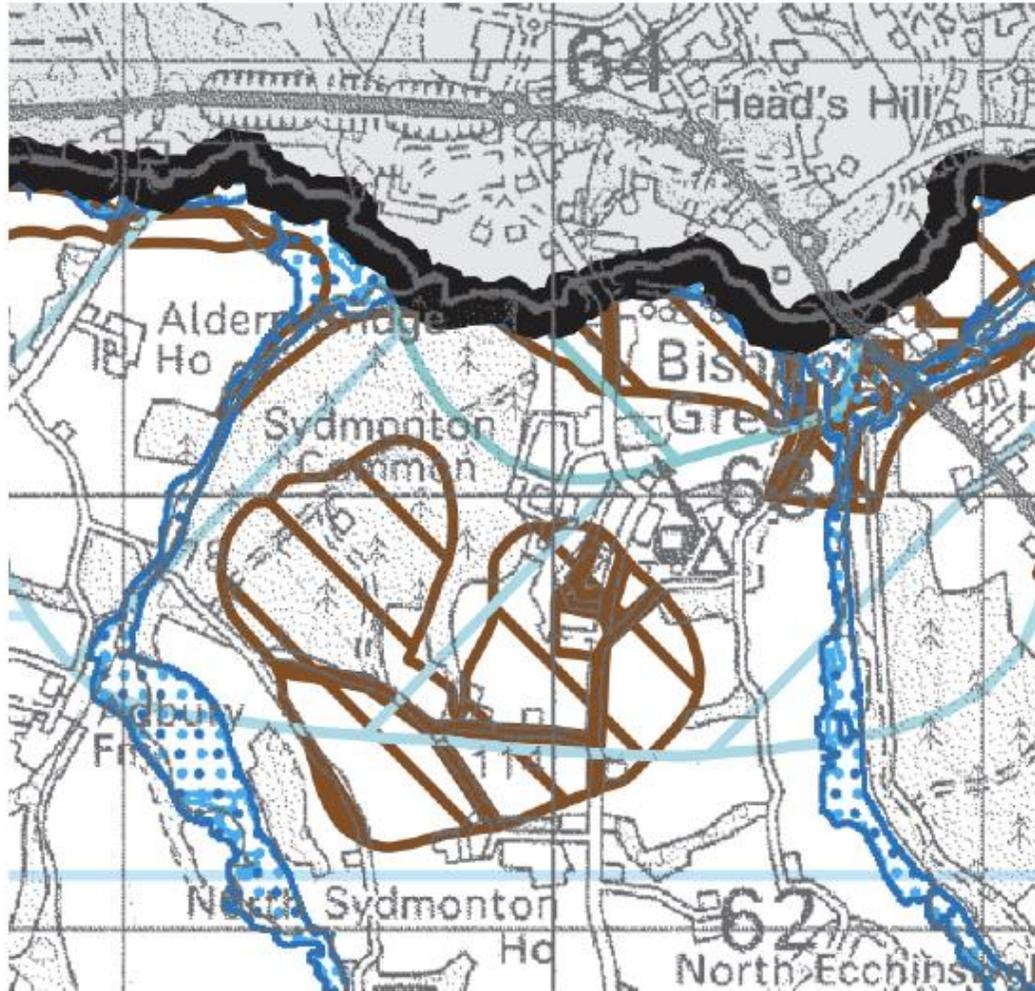
*“When considering whether a policy is in general conformity a qualifying body, independent examiner, or local planning authority, should consider the following:*

- whether the neighbourhood plan policy or development proposal supports and upholds the general principle that the strategic policy is concerned with*
- the degree, if any, of conflict between the draft neighbourhood plan policy or development proposal and the strategic policy*
- whether the draft neighbourhood plan policy or development proposal provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy*
- the rationale for the approach taken in the draft neighbourhood plan or Order and the evidence to justify that approach”*

5.3 The Local Plan makes clear that all the policies in the Local Plan 'are considered to be strategic in nature' unless there are specific local circumstances which warrant a specific local approach to be taken forward in more detail (§1.11)



**Plan B: Basingstoke and Dean Borough Council Local Plan Policies Inset Map No.19 – Ecchinswell Village Core**



 Mineral Safeguarding Area

*Plan C: Basingstoke Local Plan Policies Map – Bishops Green Inset*

5.4 The key Local Plan policy provisions relating to Ecchinswell, Sydmonton & Bishops Green are:

- Policy SS1 Scale and Distribution of New Housing in which the parish is considered entirely countryside;
- Policy SS5 Neighbourhood Planning – allocates no specific housing requirement to the parish;
- Policy SS6 New Housing in the Countryside – in principle applies to the whole parish;
- Policy CN1 Affordable Housing – requiring 40% affordable housing on all market housing sites or a financial contribution to be paid for proposals of less than 5 net residential units;
- Policy CN2 Rural Exceptions for Affordable Housing – small scale residential development outside settlement policy boundaries to meet an identified local need;
- Policy CN3 Housing Mix for Market Housing – requires market housing to be made up of type and size that addresses local need;
- Policy CN8 Community, Leisure and Cultural Facilities – seeking to protect and enhance community facilities;
- Policy CN9 Transport – seeks to promote a safe, convenient and efficient transport system and promotes opportunities for sustainable travel;
- Policy EM1 Landscape – reflecting the national importance of the North Wessex Downs Area of Outstanding Natural Beauty (AONB) and its setting and requiring proposals within the AONB to adhere to criteria set out in the North Wessex Downs AONB Management Plan;
- Policy EM4 Biodiversity, Geodiversity and Nature Conservation – seeking to protect and enhance biodiversity;
- Policy EM5 Green Infrastructure – seeking to protect and enhance green infrastructure assets;
- Policy EM10 Delivering High Quality Development – setting out criteria to secure a robust design-led approach;
- Policy EM11 The Historic Environment – seeking to conserve and enhance the quality of the historic environment;
- Policy EP4 Rural Economy – supporting economic uses in the countryside;

5.5 As expressed through Policy SS5, the Government also strongly supports neighbourhood planning as more recently emphasised by the introduction of paragraph 14 of the NPPF. Policy SS5 of the Local Plan established local housing requirements for the rural areas of the borough to be met through neighbourhood planning, although no housing requirement was attributed to ES&BG in the adopted Local Plan.

5.6 The ES&BG NP is being prepared alongside the preparation of the Local Plan Update (LPU) which is anticipated to be submitted for Regulation 18 consultation in 2023. Although the ES&BG NP is not tested against the policies in the emerging local plan, which is at an early stage of preparation, the ‘reasoning and evidence’ in the LPU work is informing the ES&BG plan-making process as per ID:41-009-20190509.

5.7 The [latest expression](#) of the LPU’s emerging spatial strategy and policies was published on the 9th June 2022. As with earlier papers published in 2021, this most recent material defines the settlements of Bishops Green and Ecchinswell as Category 4 “small villages” with an expectation that each should establish Settlement Boundaries and the parish should contribute a modest level of sustainable development over the revised plan period, currently proposed to 2039.

5.8 The adopted Local Plan for the Plan Period up to 2029 contains no housing requirement for this designated neighbourhood area as anticipated by NPPF paragraph 66, Therefore In line with NPPF paragraph 14 and 67, the Parish Council requested an indicative figure to take account of the ‘reasoning and evidence’ underpinning the Local Plan Update and its emerging spatial strategy for the smaller villages in the Borough. In response, B&DBC confirmed by letter of 1st June 2022 (attached as Appendix A to the Submission Plan) an indicative figure of 15 dwellings for Bishops Green, but none for Ecchinswell Village in order to deliver sustainable development for the anticipated LPU Plan Period to 2039.

5.9 B&DBC and the Qualifying Body (QB) have also agreed that, on balance, the ES&BG NP should adopt 2021-2039 as the plan period and that ES&BG PC as the QB is committed to an early review should the housing number for the parish increase as the LPU advances. The letter to ES&BG PC giving the indicative housing number confirms that the LPU is at an early stage of preparation and will be subject to consultation and examination. Nonetheless, the indicative figure provides the neighbourhood plan with a starting point to inform its own plan preparation, its own housing supply policy and a “complementary” spatial strategy as anticipated by Planning Practice Guidance (PPG) Reference ID:41-009-20190509 and Reference ID: 41-070-20190509.

5.10 The Qualifying Body considers this approach has regard to NPPF paragraph 13, paragraph 15 and paragraph 60 by providing a positive vision for the future of the parish as anticipated under a ‘Plan Led System’. In addition, the Neighbourhood Plan has sought to add value to the Local Plan by refining some of its policies to better fit with the ES&BG context and, to ensure local housing needs continue to be met. This will in turn ensure that B&DBC is able to use the Neighbourhood Plan to engage NPPF §14 in relevant development management decisions – most notably in having to demonstrate only a three year housing land supply – for as long as the §14 conditions are met.

5.11 A summary assessment of the general conformity of each policy, and its relationship with adopted policy where relevant, is contained in Table C below.

**Table C: Neighbourhood Plan & Development Plan Conformity Summary**

| No.   | Policy Title & Refs                | Commentary   |
|-------|------------------------------------|--|
| ESBG1 | Settlement Boundaries              | <p>This policy establishes and defines Settlement Boundaries to distinguish the consideration of planning applications within the settlement from those outside the boundary. In doing so, it augments policy SS1(a) and supports the delivery of new homes as anticipated by SS1(e) in so far as they are applied in the designated neighbourhood area.</p> <p>The principle of using a development boundary policy as a mechanism to contain and manage the small amount of settlement growth is therefore consistent with national policy, provided, as here, the boundary defines the outcome of decisions made on the scale and location of growth in line with an as up-to-date as possible assessment of objectively assessed housing need. In addition the policy also addresses the need for nitrate mitigation should development proposals come forward in the Test Catchment.</p>                  |
| ESBG2 | Housing Supply To Meet Local Needs | <p>This policy makes provision for 20-25 dwellings, 50% of which will be between 1-3 bedrooms. This is consistent with policy CN3 which calls for a diverse range of housing types to address the local needs. Within this parish, the housing supply is skewed towards larger dwellings, often 3-4+ bedrooms in size and there is a demand for smaller, more affordable homes. Policy CN1 of the Local Plan calls for provision of affordable homes and the NP has taken this into account, including the expectation that 25% of the affordable homes component will be allocated as 'First Homes' discounted in price by 30% in line with the B&amp;DBC First Homes Interim Policy Statement and the conclusions of Basingstoke and Deane's Housing Market Assessment (Sept 2020).</p>  |
| ESBG3 | Housing in Bishops Green           | <p>The modest residential schemes are of small to medium scale consistent with the size of the settlements and their position in the settlement hierarchy as defined in the recent B&amp;DBC Settlement Study. The policies accord with Policy EM10 which requires all development proposals to be of high quality and based on a design led approach. The policies establish key design principles that reflect the distinct physical characteristics of each site in their surrounding landscape. They take account of the proximity of the countryside and the importance of a high-quality scheme in these locations more generally. The sites are considered appropriate to allocate for development and the policies set out the tests by which a successful scheme will be judged. Both policies are considered to be consistent with Policy CN9 on managing the effects of traffic on rural roads.</p> |
| ESBG4 | Housing in Ecchinswell             |  |

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| ESBG5 | Design Quality in the Parish of Ecchinswell, Sydmonton and Bishops Green | These policies supplement Policy EM10 which calls for a 'design led approach' and the importance of respecting and maintaining the local distinctiveness and sense of place of an area. The Design Guidelines and Codes, prepared by AECOM, are intended to reinforce local distinctiveness in the design of development and preserve and enhance the special character of the Ecchinswell Conservation Area. These policy 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. |
| ESBG6 | Design Quality in the Ecchinswell Conservation Area                      | ESBG6 also highlights the importance of giving extra attention to development proposals that fall within the Ecchinswell Conservation Area. Any development in this area should be more closely examined to reflect the Design Guidelines and Codes and most recent Ecchinswell Conservation Area Appraisal carried out by B&D BC in 2003.   |
| ESBG7 | Community Engagement in Planning   | Policy EM10 anticipates development proposals will be informed by community documents and paragraph 6.86 encourages developers to engage in early and meaningful consultation with the local community. It also states that "Consultation prior to the submission of an application is a valuable and effective exercise in informing and achieving good design". Policy ESBG7 is entirely consistent with this expectation, while reinforcing the added emphasis now encouraged by NPPF §40 and §133 and the National Model Design Code since policy EM10 was adopted.  |
| ESBG8 | Support For Rural Businesses & Workspace                                 | The policy is consistent with the provisions of Policy EP4 in respect of its encouragement of rural employment and the criteria that apply in considering suitability. The Policy however also directs applicants that locally defined design and environmental considerations are taken into account in considering the suitability of a rural business location, which in turn provides additional definition to the expectation in EP4 that all development proposals must be well designed and of a use and scale that is appropriate to the site and location.  |
| ESBG9 | Support For Home Working   | The Local Plan is silent on support for 'Home Working' although it acknowledges the value of the rural economy more generally through Policy EP4. However the Local plan glossary (page 165) defines home-working as usually comprising a residential unit with ancillary and often temporary work areas. In respect of Basic Condition (a) however, the policy has regard to NPPF §82(d)  |

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| ESBG10 | Broadband & Mobile Communication               | This policy acknowledges the weaknesses of the broadband and mobile communications infrastructure in the parish and their importance for a well-connected community. In this respect the policy provides a specific local focus to the general focus on Infrastructure in policy CN8, although paragraph 5.51 of the supporting text acknowledges that ‘Development proposals should therefore contribute towards the provision of infrastructure suitable to enable the delivery of super-fast broadband services across the borough and facilities supporting mobile broadband and Wi-Fi, should be included where possible and viable’  |
| ESBG11 | Community Facilities                           | This policy refines Local Plan Policies CN8 in identifying local community facilities in the parish to which this policy applies, and by identifying opportunities for enhancing community facilities in both Bishops Green and Ecchinswell consistent with the final paragraph of CN8.  |
| ESBG12 | Green Infrastructure Network & Nature Recovery | <p>The policy, aimed at promoting nature recovery, is reflected in the environmental goals of EM5. It translates those goals into a spatial network of green infrastructure assets defined on the Policies Map and derived from a variety of published data sets (e.g. HBIC, Magic Map and Natural England). More specifically, its Clause D restates the policy provisions of EM5, relating to resisting proposals that undermine the integrity of the Green Infrastructure network or sever wildlife corridors.</p> <p>EM4 sets out that developments will have to demonstrate how they will mitigate damage to the biodiversity and Green Infrastructure network. For ESBG12 specifically, this included delivering a minimum of 10% net gain to biodiversity value in accordance with the methodology set out in the B&amp;DBC Interim Guidance Note (or successor national net gain target) in the design of their layouts and landscaping schemes. As per EM4, this can be achieved through focusing on identified Biodiversity Opportunity Areas and on-site/off-site provisions linked to new development.</p> |
| ESBG13 | Valued Landscapes & Key Views                  | The policy supplements policy EM1 by identifying at a local scale, valued landscapes that form an essential part of the character of the parish to which landscape management guidelines in the latest Landscape Character Assessment should be considered. The policy also identifies 30 key views which contribute to the visual amenity and scenic quality of the parish as per EM1(b). The policy seeks to ensure that the location and design of new development within or beyond the settlements have had proper regard to these views, so they are not unnecessarily obstructed or harmed.  |

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| ESBG14 | Local Green Spaces                      | 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 and are intended to endure beyond the plan period. As such, the policy is considered to be consistent with the direction of Policy EM5 and national policy.   |
| ESBG15 | Dark Skies                              | The policy complements policy EM1 which requires development proposals to have regard to intrinsic dark skies. The policy also seeks to minimise light pollution within the North Wessex Downs AONB although the evidence suggests light pollution does not affect the southern part of the parish. The policy is also consistent with policy EM12 and its reference to in paragraph 6.107 to consider "the potential impact (of light pollution) in line with recognised industry methods, and should conform to the recognised guides". In this respect the policy refers to the latest industry guidance. |
| ESBG16 | Zero Carbon Buildings                   | This policy complements policy EM10 to bring this policy context up to date with contemporary thinking and national policy provisions for tackling climate change through the energy performance of new buildings. In these respects, EM10 having been adopted several years ago, is significantly out of date, although paragraph 6.85 of EM10 acknowledges, like ESBG16, the importance of designing buildings to minimise energy consumption by prioritising 'passive' solutions and by taking a 'fabric first' approach.   |
| ESBG17 | Encouraging Active & Sustainable Travel | The policy is consistent with the transport-related goals of policy CN9 by promoting walking and cycling, transport choice and a safe efficient and convenient transport system.   |

5.11 It is considered that all of the policies are in general conformity with the strategic policies of the adopted Local Plan, with no incidence of two or more strategic policies being in tension, nor of the Parish Council having to strike a balance between them. As a result, the Neighbourhood Plan, as a whole, meets Condition (e).

## **6. CONDITIONS (F & G): COMPATIBILITY WITH ENVIRONMENTAL LEGISLATION AND OTHER MATTERS**

6.1 The requirements in respect of Strategic Environmental Assessment (SEA) have been addressed in Section 4 of this Statement. Suffice to say that the process for determining that an SEA of the Neighbourhood Plan was required followed the requirements set out in the EU Directive 2001/42 as translated in the UK's Environmental Assessment of Plans & Programmes Regulations 2004. Similarly, the Parish Council has also met its obligations in relation to the habitats provisions of EU Directive 92/43/EEC (and the associated Conservation of Natural Habitats and Wild Flora and Conservation of Habitats and Species Regulations 2017 (as amended)). In both cases, B&DBC screened the draft Neighbourhood Plan to determine if these obligations would apply.

6.2 While there have been no material modifications made to the Plan in the submission version, a re-screening exercise was undertaken to ensure the screening decision took full account of the impact of the plan upon protected nature conservation sites in the Solent into which the River Test flows. The updated Screening Opinion issued on 6th October 2022 confirmed there was no change to the original conclusions as the Plan does not propose to allocate any development sites within the affected area.

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. The Neighbourhood Plan has been subject to extensive engagement with those people local to the area who could be affected by its policies and their views have been taken into account in finalising the Plan. An Equalities Impact Assessment has been prepared and is submitted alongside this Basic Conditions Statement

6.4 In respect of Directive 2008/98/EC – the Waste Framework Directive – the Neighbourhood Plan does not include any policies in relation to the management of waste, nor does the area include a waste management site. On that basis, this Directive is not considered relevant to the Neighbourhood Plan and therefore could not be breached.

6.5 In respect of Directive 2008/50/EC – the Air Quality Directive – the Neighbourhood Plan does not include any policies in relation to the management of air quality. On that basis, this Directive is not considered relevant to the Neighbourhood Plan and therefore could not be breached.