

Odiham and North Warnborough Neighbourhood Plan 2014-2032

Basic Conditions Statement

Published by Odiham Parish Council under the Neighbourhood Planning (General) Regulations 2012

July 2016

1. Introduction

1.1 This Statement has been prepared by Odiham Parish Council ("the Parish Council") to accompany its submission to the local planning authority, Hart District Council ("the District Council"), of the Odiham and North Warnborough Neighbourhood Plan ("the Neighbourhood Plan") under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 ("the Regulations").

1.2 The Neighbourhood Plan has been prepared by the Parish Council, a qualifying body, for the Neighbourhood Area covering the whole of the Parish of Odiham, as designated by the District Council on 7 August 2014.

1.3 The policies described in the Neighbourhood Plan relate to the development and use of land in the designated Neighbourhood Area. The plan period of the Neighbourhood Plan is from 1 April 2014 to 31 March 2032 and it does not contain policies relating to excluded development in accordance with the Regulations.

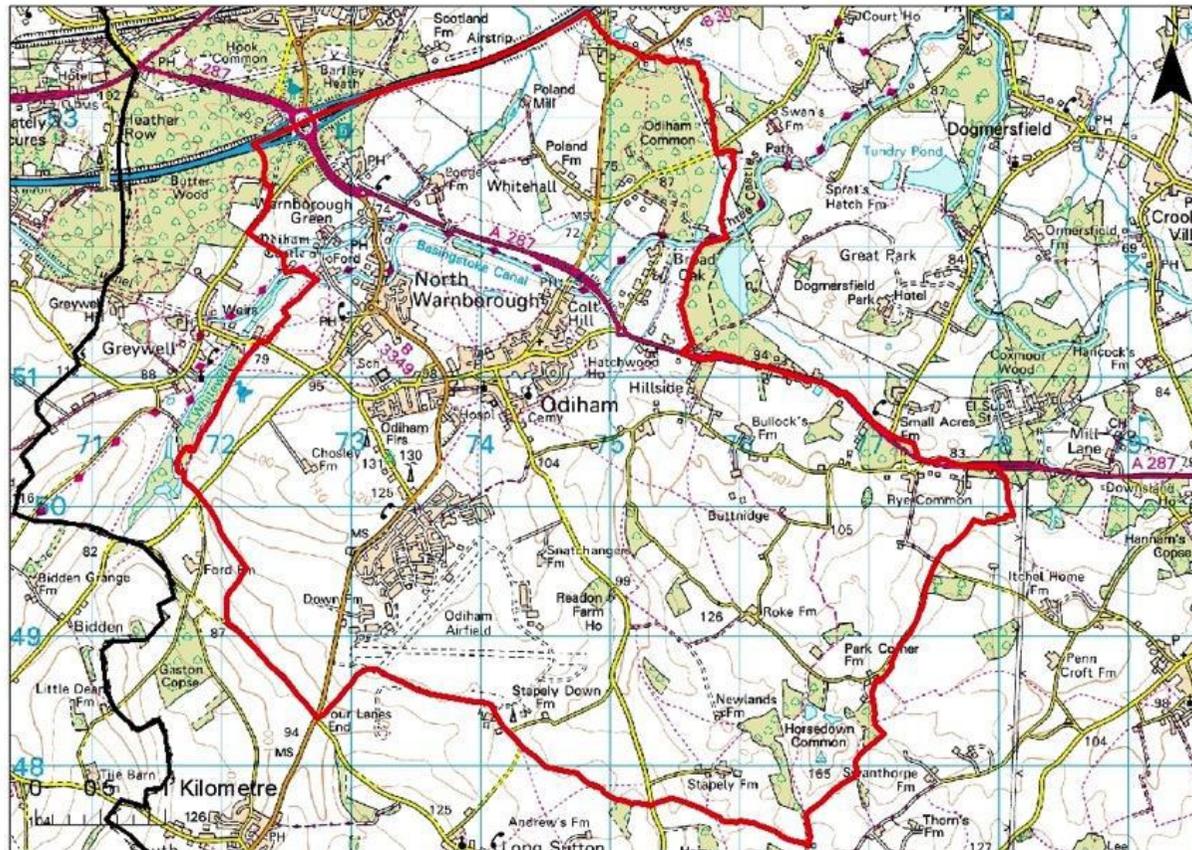
1.4 The Statement addresses each of the 'basic conditions' required of the Regulations and explains how the submitted Neighbourhood Plan meets the requirements of paragraph 8 of Schedule 4B to the 1990 Town & Country Planning Act.

1.5 The legislation and Regulations state that a Neighbourhood Plan will be considered to have met the basic 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
- The making of the neighbourhood plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2012) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007) (either alone or in combination with other plans or projects)

2. Background

2.1 The Parish Council commenced preparation of the Neighbourhood Plan in 2014. The key drivers of that decision were the encouragement of the District Council to parishes in its district to prepare Neighbourhood Plans and the keenness of the Parish Council to anticipate and manage the proposals in the emerging Hart District Local Plan 2011 – 2032 ("the emerging Local Plan") , most notably its proposals for the delivery of approximately 150-200 new homes to 2032 in that part of the District beyond the 5 km buffer zone of the Thames Basin Heaths Special Protection Area (TBHSPA), a European nature site. The Parish Council also wishes to have greater influence over the design of new development and infrastructure issues and to promote the sustainable development of the parish.



PLAN A: The Designated Odiham and North Warnborough Neighbourhood Plan Area

2.2 A Steering Group was formed comprising parish councillors and members of the local community and it was delegated authority by the Parish Council to make day-to-day decisions on the Neighbourhood Plan. However, as qualifying body, the Parish Council approved the publication of:

- the Draft Neighbourhood Plan of May 2015
- the Pre-Submission Neighbourhood Plan of October 2015
- this Submission Neighbourhood Plan of July 2016

2.3 The Parish Council has worked closely with officers of the District Council during the preparation of the Neighbourhood Plan. The positioning of the Neighbourhood Plan in respect of the development plan has been challenging. The emerging Local Plan has been some years in the making but will not be adopted prior to the examination of the Neighbourhood Plan. Although the Plan, and this Statement, acknowledges the reasoning and evidence of the emerging Local Plan, the strategic policy framework for the Neighbourhood Plan is provided by the Hart District Local Plan (Replacement) adopted in 2002 and its First Alterations adopted in 2006 ("the adopted Local Plan"). Helpfully, the District Council has informed all neighbourhood planning teams in its area of what it considers to be the saved strategic policies, with which their plans should be in general conformity.

2.4 The spatial and housing strategies of the adopted Local Plan are out of date but many other saved policies are used by the District Council in its development management decisions. The emerging Local Plan provides a steer towards the preferred spatial plan for the Parish that, although not tested at examination, provide a reasoning and evidence base to which the Neighbourhood Plan has responded.

2.5 The Neighbourhood Plan contains a small number of land use policies (in Section 3) that are defined on the Policies Map as being geographically specific and non-statutory proposals (in Section 4) that are included for the completeness of the Neighbourhood Plan. For the most part, the plan has deliberately avoided containing policies that may duplicate the many out of date and emerging development policies that are, and will be, material considerations in determining future planning applications.

2.6 In making a clear distinction between land use planning policies and non-statutory proposals relevant to land use planning, the Neighbourhood Plan allows for the examination to focus on the requirement of the policies to meet the Basic Conditions but also allows the local community to see the Neighbourhood Plan in the round. In any event, the non-statutory proposals will each have a land use effect at some later point but cannot do so as part of the Neighbourhood Plan as they fall outside its scope.

3. Conformity with National Planning Policy

3.1 The Neighbourhood Plan has been prepared with 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.

3.2 In overall terms, there are four NPPF paragraphs that provide general guidance on neighbourhood planning, to which the Neighbourhood Plan has directly responded:

Para 16

3.3 The Parish Council believes the Neighbourhood Plan is planning positively to support the strategic development needs of the district by supporting new housing on a number of small sites distributed around the two villages of Odiham and North Warnborough in order to sustain their special heritage and landscape character and to avoid areas of flood risk. It also seeks to secure well designed buildings and to protect and enhance open spaces and valued community facilities that benefit the parish and the wider area.

Para 183

3.4 The Neighbourhood Plan establishes a clear vision for the parish that reflects the view of the majority of the local community. It has sought to translate the vision into a series of meaningful planning policies to plan for reasonable housing growth within the considerable environmental constraints and to determine future planning applications as part of the development plan.

Para 184

3.5 The Parish Council believes the Neighbourhood Plan, as is highlighted below, is in general conformity with all the relevant policies of the adopted Local Plan but has also anticipated the emerging Local Plan. It is considered to strike a positive balance between the physical and policy constraints of the Parish and the need to contribute to meeting local housing demand.

Para 185

3.6 The Neighbourhood Plan avoids duplicating development plan policies by focusing on policies that translate the general requirements of the development plan into a Parish context. Once made, the Neighbourhood Plan should be easily considered alongside the development plan and any other material considerations in determining planning applications.

3.7 Set out in Table A below, is a brief summary of how each policy conforms to the NPPF. The particular paragraphs referred to in the table are those considered the most relevant to each policy but are not intended to be an exhaustive list of all possible relevant paragraphs.

Table A: Neighbourhood Plan & NPPF Conformity Summary			
No.	Policy Title	NPPF Ref.	Commentary
1	Spatial Plan for the Parish	28, 50, 55, 70, 110, 126	This policy establishes the principle that future growth in the Parish will be directed to within the two main settlements of the Parish. In doing so, it allows for a series of new development schemes on the boundaries of those settlements to contribute to meeting a wide range of local housing needs by providing different housing types (NPPF §50 and §55) and to ensure the villages remain sustainable places to live, work and enjoy (NPPF §28 and §70). It also reflects the importance of the surrounding landscape in defining the historic character of the villages by confining development beyond the settlement boundaries to that which is appropriate in the countryside (NPPF §110 and §126). The allocation policies of Policy 2 and the design guidance of Policies 5-8 will ensure that the effects of new development on the historic environment and on flood risk and biodiversity assets can be managed effectively.
2	Housing Development Sites	58, 60, 61, 173	This policy allocates 7 development sites and in each case establishes the key development principles and provides an indication of how those principles can be applied to deliver a successful scheme. In doing so, the policy sets out the expectations of what good design means (NPPF §58) and how it should connect to the strong sense of place in both villages

			(NPPF §61), but without being overly prescriptive (NPPF §60). The principles identify all the specific matters that must be addressed by planning applications, including mitigating effects on heritage, flood risk, landscape, access and biodiversity (in line with a number of NPPF paragraphs). Importantly, in illustrating how successful schemes can be achieved, the policy avoids harming the viability and deliverability of the schemes (NPPF §173).
3	Local Gaps	109, 110, 126	This policy identifies two Local Gaps, one of which is a well established Saved Local Plan policy (CON21). The gaps are intended to prevent the visual coalescence of the main settlements, which would undermine their character and identity. NPPF §109 allows for the protection of valued landscapes and §110 encourages policy to avoid development harming land of environmental and amenity value. In both cases, the Gaps also form an integral part of the setting to the respective Conservation Areas, and therefore will enable the significance of the setting to those heritage assets to be sustained (NPPF §126). Given the gaps occupy a relatively small part of the Parish, their designation does not undermine the future ability of the settlements to grow sustainably.
4	Housing Mix	47, 50	This policy establishes the desired mix of dwelling sizes and types to ensure the Plan delivers a wide range of new homes to meet a variety of needs (NPPF §50). The mix is derived from local evidence on the housing stock and trend data (NPPF §47).
5	General Design Principles	58, 60	This policy defines key design principles that apply to all development schemes in the Parish. They combine to ensure that proposals reflect the distinct rural and historic character of the Parish (NPPF §58) without prescribing design details or styles (§60).
6	Odiham Conservation Area	60, 61, 126	This policy defines the key design principles for development proposals in the Conservation Area, to ensure its character and appearance are sustained and enhanced (NPPF §61 and §126), without prescribing design details or styles (§60).
7	North Warnborough Conservation Area	60, 61, 126	This policy defines the key design principles for development proposals in the Conservation Area, to ensure its character and appearance are sustained and enhanced (NPPF §61 and §126), without prescribing design details or styles (§60).
8	Basingstoke Canal Conservation Area	60, 61, 126	This policy defines the key design principles for development proposals in the Conservation Area, to ensure its character and appearance are sustained and enhanced (NPPF §61 and

			§126), without prescribing design details or styles (§60).
9	Odiham High Street	28, 70, 126	This policy seeks to protect the High Street from the unnecessary loss of cherished retail units and services, both to serve the local community and to remain a valuable heritage attraction for visitors and tourists. (NPPF §28, §70 and §126). It defines the key design principles for development proposals in the centre, as well as managing changes of use, to maintain its viability and vitality, as well as ensure changes reflect its special historic character.
10	Education	72, 73, 109	This policy safeguards land to enable the expansion of the secondary school (NPPF§72). However, the land occupies a prominent location in a Local Gap and therefore the policy confines new education uses to those that will not undermine the visual integrity of the Gap (NPPF§109). This will not unnecessarily hinder the school from bringing forward development proposals for the reorganisation of buildings and spaces on the site to enable its expansion. It also requires that new sports and recreation facilities at the school are made available for use by the local community when not required for use by the school (NPPF §73).
11	Local Green Spaces	76, 77	This policy proposes a number of important green spaces in the parish to be protected from development by the designation as Local Green (NPPF §76 and §77). A separate report sets out how each proposed designation meets the criteria of the NPPF.
12	The Natural Environment	99, 109, 117,	This policy defines the key environment principles for development proposals in the Parish in respect of those matters that are especially important to local people, namely flood risk (NPPF §99), landscape character (§109) and biodiversity (§117).
13	Assets of Community Value	70	This policy seeks to protect community facilities from unnecessary loss in recognition of their special value to local people (NPPF §70).

4. Contribution to Achieving Sustainable Development

4.1 A Strategic Environmental Assessment (SEA) has been undertaken and it demonstrates that the policies of the Neighbourhood Plan will have no significant environmental effects. The Report concludes:

"7.21 The assessment shows that there are no significant negative effects resulting from the policies of the Plan and that when compared to the limited number of reasonable alternatives, they compare well. The policies have been specifically chosen and formulated to adhere to the principles of sustainable development as defined by the Local Plan and the NPPF. And they reflect the expressed preferences of the local community, as well as this can be judged prior to a referendum.

7.22 The conclusion of the assessment of the objectives and policies of the Neighbourhood Plan is encouraging as the task of planning for growth in an area with so many and varied heritage, landscape and biodiversity assets is challenging. There is a close correlation between the plan's objectives and those of the SEA perhaps as should be expected from a community-driven document. The policies have clearly been selected and drafted to ensure that any potential for negative impacts is avoided through site selection and effective policy wording. In some cases, the Neighbourhood Plan should deliver positive environmental benefits, as well as other social and economic effects. In no case is there a reasonable policy alternative that assesses as well as the chosen policy."

4.3 This outcome may be inevitable for neighbourhood plans prepared in similar planning policy circumstances. If local communities are to back development in this type of location, to the extent they will turn out to vote in favour of the Neighbourhood Plan at a referendum, then they will want to be satisfied that there are no significant environmental issues.

4.4 However, one of the basic conditions requires neighbourhood plans to contribute to achieving sustainable development, as well as to avoid significant environmental harm. A Sustainability Appraisal is not required to serve this purpose and Table B below sets out how the Neighbourhood Plan meets that basic condition by assessing the social, economic and environmental attributes of each policy.

Table B: Neighbourhood Plan & Sustainable Development Summary

No.	Policy Title	Soc.	Eco.	Env.	Commentary
1	Spatial Plan for the Parish	+	0	0	This policy will have a positive social effect in enabling the delivery of new homes but without causing negative environmental effects due to the spatial principles to which it has adhered.
2	Housing Development Sites	+	0	0	This policy will deliver new homes and a care home, to meet local needs and so will have a positive social benefit. Its development principles and the location of the sites adjoining the existing villages will ensure that there are no negative effects.
3	Local Gaps	+	0	+	This policy has positive social and environmental benefits in preserving the distinct character and identity of the main settlements in the Parish as desired by the local community.
4	Housing Mix	+	0	0	This policy has a positive social benefit in shaping the types and sizes of new homes to meet the needs of the local community and to diversify the housing stock to meet wider needs in future years.
5	General Design Principles	+	0	+	This policy has positive social and environmental benefits by promoting design principles that will at least sustain the distinct character of the Parish and its settlements.
6	Odiham Conservation Area	+	0	+	This policy has positive social and environmental benefits by promoting design principles that will at least sustain the special character of the Conservation Area for the enjoyment of the existing and future communities.
7	North Warnborough	+	0	+	This policy has positive social and environmental benefits by promoting design principles that will at least sustain the special character of the Conservation Area

	Conservation Area				for the enjoyment of the existing and future communities.
8	Basingstoke Canal Conservation Area	+	0	+	This policy has positive social and environmental benefits by promoting design principles that will at least sustain the special character of the Conservation Area for the enjoyment of the existing and future communities.
9	Odiham High Street	+	+	+	This policy has a series of positive effects in sustaining the special character and retail and commercial facilities of the village centre, which is also a valued heritage and tourism asset.
10	Education	+	0	+	This policy has positive social and environmental benefits by enabling the expansion of the local secondary school to meet future local community demands but ensuring that its expansion does not undermine the integrity of the Local Gap.
11	Local Green Spaces	+	0	+	This policy has positive social and environmental benefits in protecting the most precious of open spaces in the Parish from harmful development.
12	The Natural Environment	0	0	+	This policy has a positive environmental benefit in managing flood risk and other harmful effects of climate change, as well as managing biodiversity and landscape change.
13	Assets of Community Value	+	0	0	This policy has a positive social benefit by protecting cherished community facilities from unnecessary loss.

Key: + positive 0 neutral - negative

5. General Conformity with the Development Plan

5.1 The Neighbourhood Plan has been prepared to ensure its general conformity with the saved strategic policies of the adopted Local Plan. As described above, its preparation has also been mindful of the policies of the emerging Local Plan.

5.2 In practice, there have been few material differences between the two Local Plan versions as they affect this Parish, other than providing an up-to-date framework to manage future housing supply. The analysis in Table C below summarises the conformity of the Neighbourhood Plan policies with the most relevant adopted policies and the direction provided by the most recent iteration of the emerging Local Plan as at February 2016.

Table C: Neighbourhood Plan & Development Plan Conformity Summary		
No.	Policy Title & Refs	Commentary
1	Spatial Plan for the Parish	<p>This policy updates the adopted Settlement Boundaries at Odiham and North Warnborough (Policies URB2, URB12, RUR2 and RUR20) to take account of the proposed site allocations of Policy 2. It is consistent with the definition of Odiham as an urban area (Policy URB1 and of North Warnborough as a rural area (RUR1). The scale of development provided for in the new boundaries is consistent with that regarded as suitable in this location relative to the Thames Basin Heaths SPA (CON1) – and see separate Habitats Regulations Assessment report) and with national nature conservation designations (CON2). It takes account of the sensitive landscape setting to the settlements (CON22) and of controlling development in the open countryside (RUR3). It continues to acknowledge RAF Odiham in allowing for development within its boundary which remains unaltered (DEV18).</p> <p>The Hart Preferred Options Paper 2016 indicates that the part of the District beyond the 5km buffer zone of the Thames Basin Heaths SPA (which is not solely this Parish) may need to provide approximately 300 homes in the plan period. Saved Policy NMR6 of the former South East Plan establishes the policy framework for the TBHSPA. Odiham and North Warnborough are the main settlements in that area. Policies 1 and 2 of the Neighbourhood Plan provide</p>

		for the growth of these settlements to deliver approximately 119 new homes, this together with homes already built or committed in the Neighbourhood Plan period will materially contribute to new housing delivery for the area.
2	Housing Development Sites	<p>Policy 2 makes seven site allocations, each of which lies in a location considered by Policy 1 to be sustainable. The development principles of each allocation have taken into account a series of relevant development management policies of the adopted Local Plan, notably the provisions of GEN1 (General Policy for Development), GEN4 (General Design Policy), GEN11 (Areas Affected by Flooding), CON2 (National Designations), CON3 (Local Designations), Con10 (Basingstoke Canal), CON13 (Conservation Areas), CON21 (Local Gaps), CON22 (Setting of Settlements), RUR20 (Housing in Rural Settlements), URB12 (Residential Development Criteria), URB23 (Open Space Requirement), T14 (Transport and Development) and T15 (New or Improved Access).</p> <p>In all cases, the allocations are considered to be in general conformity with these policies as a matter of principle, although it will be for planning applications to determine the details of each scheme. Where an allocation has required special attention to a saved policy, for example in relation to the proposals on the edge of the current Local Gap designation between Odiham and North Warnborough, then the supporting text explains the rationale and the indicative plan shows how those principles may be successfully addressed.</p>
3	Local Gaps	<p>The policy replaces CON21, as it applies to this Neighbourhood Plan area, by amending its policy boundary and by adding another Local Gap in the Parish that serves the same purpose of preventing the coalescence of settlements. The revised boundary of the existing Local Gap between Odiham and North Warnborough accommodates the three allocations of Policy 2 that lie on the edge of the gap, but which will not compromise its visual integrity. The new gap proposed is considered to be consistent with the purpose of Local Gaps set out in CON21 as it reflects the importance of the open land between North Warnborough and Greywell, in maintaining the distinct character of those two settlements. It is hoped that in a future Local Plan or Neighbourhood Plan covering Greywell Parish that provision is made for the designation covering the land outside this Neighbourhood Plan area.</p>

4	Housing Mix	The policy complements ALT GEN13 on affordable housing by setting out the types of housing required in new development to broaden the existing housing stock to meet local housing demand in the future. It does not in itself seek to establish a different quantum of affordable homes.
5	General Design Principles	The policy refines GEN 1 and GEN4 in relation to design principles so they can be specifically applied to the Parish.
6	Odiham Conservation Area	The policy refines GEN 1 and GEN4 in relation to design principles so they can be specifically applied to the Parish. It also refines CON13 to reflect the special features of this particular Conservation Area.
7	North Warnborough Conservation Area	The policy refines GEN1 and GEN4 in relation to design principles so they can be specifically applied to the Parish. It also refines CON13 to reflect the special features of this particular Conservation Area.
8	Basingstoke Canal Conservation Area	The policy refines GEN 1 and GEN4 in relation to design principles so they can be specifically applied to the Parish. It also refines CON13 to reflect the special features of this particular Conservation Area. And it is consistent with CON10 that establishes some specific development principles for the Canal and with RUR32 that allows for appropriate recreational and canal-based works to the Canal.
9	Odiham High Street	The policy refines URB3, URB4, URB8 and URB11 on town centre/local centre shopping and commercial areas and shopfronts, by setting out provisions specific to the High Street. It also refines CON13 in respect of the role the High Street plays in defining the Odiham Conservation Area.
10	Education	The policy replaces DEV19 which applies to this site and is consistent with the replacement of CON21 by Policy 3 of the Neighbourhood Plan protecting the integrity of the Local Gap within which the safeguarded land lies. It is also consistent with URB20 and RUR35 in respect of retaining and improving local services and community facilities within or on the edge of defined urban and rural settlements.

11	Local Green Spaces	The policy is consistent with URB21 in protecting important open spaces from harmful development.
12	The Natural Environment	The policy is consistent with, and refines in places, a number of adopted Local Plan policies on the natural environment, notably GEN1 (General Policy for Development), GEN11 (Areas Affected by Flooding), CON1, CON2 and CON3 (all relating to nature conservation).
13	Assets of Community Value	The policy is consistent with RUR35 and URB20, which seek to protect rural and urban based social infrastructure respectively from unnecessary loss.

6. Compatibility with EU Legislation

6.1 A screening opinion was issued by the District Council confirming that a Strategic Environmental Assessment (SEA) was required in accordance with EU Directive 2001/42 on strategic environmental assessment, as the Neighbourhood Plan was expected to contain policies that may have significant environmental effects. A separate SEA Report containing the appraisal has been prepared for the evidence base of the Neighbourhood Plan that demonstrates its policies will have no significant social, economic nor environmental effects.

6.2 The Neighbourhood Plan Area falls within the zones of influence of a European designated nature site. The District Council has therefore prepared a Habitats Regulations Assessment report (see evidence base), which draws the following conclusions:

“The ONWNP sets a spatial arrangement where the focus of development will be on the settlements of Odiham and North Warnborough; this does not represent a change from the existing adopted policy arrangement set out in the Local Plan. (para 8.1)

None of the policies in the ONWNP propose any development within 5km of the TBHSPA, however some development is proposed within 7km of the TBHSPA. (8.3)

It can thus be seen that none of the sites on their own breaches the 50 dwelling criterion set out in retained South East Plan policy NRM6 and thus, individually will not have a significant effect on the TBHSPA. It is then necessary to look at the sites in combination. (8.6)

Consequently it is possible to conclude that the Odiham and North Warnborough Neighbourhood Plan can be screened as not having a significant effect on the Thames Basin Heaths Special Protection Area and no Appropriate Assessment is necessary. " (9.1)

6.3 The Neighbourhood Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act.