

Denmead Neighbourhood Plan 2011 - 2031

Basic Conditions Statement



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

July 2014

1. Introduction

- 1.1 This Statement has been prepared by Denmead Parish Council ("the Parish Council") to accompany its submission to the local planning authority, Winchester City Council ("the City Council") of the Denmead Neighbourhood Development Plan ("the Neighbourhood Plan") under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 ("the Regulations").



Plan A: The Designated Denmead Neighbourhood Area

- 1.2 The Neighbourhood Plan has been prepared by the Parish Council, the qualifying body, for the Neighbourhood Area covering the majority of the parish (it excludes all land within the South Downs National Park and land at West of Waterlooville), as designated by the City Council on 17 September 2012 (see Plan A above).
- 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 2031 and it does not contain policies relating to 'excluded development' as defined and required by the Regulations.
- 1.4 The Denmead Neighbourhood Plan relates to the Denmead Neighbourhood Area and to no other area. There are no other neighbourhood plans relating to that neighbourhood area.
- 1.5 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.
- 1.6 The 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.

2. Background

2.1 The Parish Council commenced preparation of the Neighbourhood Plan in 2012, as the only 'front runner' project in the District (it remains the only neighbourhood plan being prepared in the District). The key drivers of that decision was the opportunity for the Parish Council to take on the responsibility to determine the housing land allocations required to meet the requirements of the (then forthcoming) Winchester District Local Plan Part One ("LPP1") and to promote sustainable development in the parish.

2.2 A Steering Group was formed comprising Parish Councillors and local people and it was delegated authority by the Parish Council to make day-to-day decisions on the Neighbourhood Plan. However, as the qualifying body, the Parish Council has approved the publication of the Pre-Submission and Submission versions of the Neighbourhood Plan.

2.3 The Steering Group has undertaken considerable community engagement activities over the duration of the project, including the formal consultations required by the Regulations and many informal public events. It has also engaged with landowners, developers and other interested parties to ensure it has fully understood the availability and achievability of sites. It has worked with officers of the City Council during the preparation of the Neighbourhood Plan and has appointed its own professional planning advice to assist in the formulation and drafting of policy.

2.4 The positioning of the Neighbourhood Plan in respect of the emerging development plan has been relatively straightforward. The LPP1 was adopted in 2013 and is therefore up-to-date in providing a strategic planning policy framework for the Neighbourhood Plan. It contains a series of policies covering all those policy areas of the Neighbourhood Plan, some of which provide it with a clear direction in respect of housing supply and the criteria for selecting housing site allocations. It is the LPP1 that has therefore been used to determine the general conformity of the Neighbourhood Plan with the development plan.

2.5 Part Two of the Local Plan ("LPP2") will be published for Pre Submission consultation in late 2014, i.e. after the examination of the Neighbourhood Plan. LPP2 will replace the remaining saved policies of the 2006 Winchester District Local Plan Review ("the 2006 Local Plan") in respect of development management policies and site allocations pursuant to LPP1. The City Council has agreed that the role of the Neighbourhood Plan will be to perform the function of housing site allocations of the LPP2 and to include other site-specific land use policies that conform to the relevant policies of the 2006 Local Plan and anticipate their replacement by LPP2. In most respects, therefore, the policies of the 2006 Local Plan and then LPP2 in due course will apply to the Denmead Neighbourhood Area.

2.6 The Neighbourhood Plan contains a series of housing, commercial, community asset and other policies that are defined on the Proposals Map as being geographically specific. For the most, the plan has deliberately avoided containing policies that may duplicate the development policies that are, and will be, material considerations in determining future planning applications. This has allowed the Neighbourhood Plan to focus on a relatively small number of policies.

2.7 The Neighbourhood Plan has also made a clear distinction between land use planning policies and non-statutory proposals relevant to land use planning. This 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) of 2012 and has sought to reflect the National Planning Practice Guidance (NPPG) of 2014 in respect of formulating neighbourhood plans.

3.2 The Submission document, and the Pre-Submission document that preceded it, both include a specific NPPF conformity reference for each policy and, where relevant, further reference in the supporting text.

3.3 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

3.4 The Parish Council believes the Neighbourhood Plan is planning positively to support the strategic development needs of the district by shaping housing, employment and community facility development, which accord with a clear spatial vision for the parish. It also seeks to be positive about planning for new travellers accommodation and to protect and enhance local shops, community facilities and green infrastructure that benefit the parish.

Para 183

3.5 The Parish Council believes the Neighbourhood Plan establishes in its Section 3 a vision for the Neighbourhood Area that reflects the view of the majority of the local community. It has translated the vision into objectives and then planning policies to determine future planning applications as part of the development plan.

Para 184

3.6 The Parish Council believes the Neighbourhood Plan, as is highlighted below, is in general conformity with all the relevant saved policies of the development plan. It has chosen to allocate land for housing development to meet the requirements of the strategic planning policy context for housing supply in the District.

Para 185

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

3.8 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 this is not intended to be an exhaustive list of all possible relevant paragraphs.

No.	Policy Title	NPPF Ref.	Commentary
1	A Spatial Plan for the Parish	35, 50, 100, 109, 110	<p>The policy restates the purpose and value of the built up area boundary, defined by the development plan, for distinguishing the settlements from the countryside. In doing so, it promotes the vitality of the settlements and recognises the intrinsic character and beauty of the countryside.</p> <p>The 2004 Local Plan boundary has therefore been re-drawn on the Proposals Map to allow for new housing site allocations in locations that are of a lower landscape sensitivity (para 110), are not at flood risk (100) and are highly accessible to the village centre without the need for a car (35). This spatial strategy ensures that the Neighbourhood Plan is positively prepared in respect of delivering a wide choice of high quality homes (50) by meeting the LPP1 housing supply requirements.</p>

			In continuing the protection of the strategic gap between Denmead and Waterlooville, the policy acknowledges the special importance of this valued landscape in preventing the coalescence of the two proximate settlements (109).
2	Housing Allocations	50, 58, 59, 61	The policy allocates land for a total of 130 new homes of a variety of types and tenures, including some self-build plots (para 50). In doing so, each of the four site allocations includes a clear indication of the quality of the development expected in respect of layout, infrastructure provision and timing. This will ensure that development is planned and delivered successfully over the full plan period in the most sustainable location in the village (58). The allocation of the largest of the sites – Land East of the Village Centre – includes more specific design guidance to ensure that the site is delivered in distinct phases to integrate with the existing village and to avoid the appearance of a single, homogenous 'housing estate'. The site promoter is satisfied with this approach (59 and 61). This latter point is important, given the preference for the local community for the Neighbourhood Plan to allocate a larger number of small sites and not rely upon one large scheme.
3	Housing Design	50, 58, 59	The policy requires development to respond to local character, reflecting the identity of the local surroundings and materials, as defined by the adopted Denmead Village Design Statement (para 58). In doing so, it avoids unnecessary prescription or detail to focus on guiding the key principles of scale, massing, etc. (59). In resisting the loss of existing bungalows through alterations to make the accommodation suited to family occupation, the policy seeks to maintain a variety of housing types that are especially popular with older households in the village (50).
4	Parklands Business Park	28, 109	The policy promotes proposals that will achieve the effective and efficient use of land and buildings at the business park for rural economic development. In doing so, it seeks to increase the flexibility of the business park to accommodate growing and new businesses (para 28) but without undermining its location in the countryside (109). The provision of the new care home will provide many local jobs at a location that is well suited to this type of use – residents benefit from on-site support services and do not require access to shops within walking distance.
5	Sports & Leisure Facilities	70, 73	The policy promotes the provision of new sports and leisure facilities at the well-established school grounds to meet the longer term social and recreational needs and to support the health and well-being of the local population (para 70 and 73).

6	Public Car Park at Hambledon Road/Kidmore Lane	28	The policy protects the existing, popular public car park and toilet facility from loss. Both facilities are important to the success of the adjoining village centre (para 28).
7	Burial Ground	70	The policy allocates land to extend the existing burial ground to meet the longer term needs of the local population for this facility (para 70).
8	Travellers Accommodation	50	The policy provides positive support for proposals to increase the number of pitches for travellers accommodation in the area as a means of complementing the existing traveller community.

Table A: Neighbourhood Plan & NPPF Conformity Summary

4. Contribution to Sustainable Development

4.1 A Strategic Environmental Assessment of the Neighbourhood Plan has been undertaken in accordance with the EU Directive (see 6.1 below). This has concluded that there are no likely significant effects on the environment that cannot be avoided or mitigated by future planning applications. However, more than just avoiding such impacts, the Neighbourhood Plan can also clearly demonstrate that it will contribute to the achievement of sustainable development in terms of how its policies will deliver a blend of economic, social and environmental benefits for the parish.

4.2 The strategic objectives of the Neighbourhood Plan comprise a balance of social, economic and environmental goals. On the one hand, it seeks to meet its responsibility for planning positively for development to remain in conformity with the development plan. On the other, the local community is keen to ensure the highest quality landscapes, especially to the south and east of the village, are protected and flood risk is managed effectively. In return, the local community also expects to see improvements to local community facilities and high quality development schemes.

4.3 The Neighbourhood Plan therefore proposes a series of policies to deliver well-designed housing to stitch in to the existing village and to promote new employment to serve local social and economic goals. The chosen policies are intended to

accurately translate these goals into viable and effective development management policies and deliverable infrastructure proposals.

4.4 The sustainability attributes of each policy are summarised in Table B below.

No.	Policy Title	Soc.	Eco.	Env.	Commentary
1	Spatial Strategy	*	*	**	The policy promotes the most sustainable pattern of growth for the village by confining development to the settlement boundary and only extending the boundary east of the village centre where landscape sensitivity is lower, where there is no flood risk and where there is available development land closest to the village centre. The policy also maintains the protection of the strategic gap between Denmead and Waterlooville to prevent the coalescence of the two proximate settlements.
2	Housing Allocations	**	0	*	The policy allocates four housing sites in accordance with the definition of the settlement boundary in Policy 1. Together, the sites will deliver a range of quality housing for the village and will secure important design and green infrastructure benefits. The largest site – Land East of Village Centre – is larger than desired by the local community, which expressed a clear preference for the policy to select a larger number of small sites to meet the LPP1 requirement. However, the only means by which this could be done with the framework of sustainable development would have been to widen the criteria of Policy 1. Not only would such an option have undermined the contribution of the Neighbourhood Plan to achieving sustainable development, it will also have led to a larger number of sites being allocated in addition to those already proposed for allocation. More detail on this issue is contained within the SEA report.
3	Housing Design	**	0	0	The policy seeks to retain the distinctive design features of the village that are cherished by local people and to prevent the loss of popular bungalows through alterations to form larger family homes.

4	Parklands Business Park	0	**	0	The policy promotes economic development at the business park that is suited to its countryside location. The provisions of the policy acknowledge the special location and only promote specific types of development.
5	Sports & Leisure Facilities	*	0	0	The policy promotes improvements to the provision of community facilities to serve the local population.
6	Public Car Park at Hambledon Road/Kidmore Lane	0	**	0	The policy protects the public care park and toilet facility that serve the adjoining village centre.
7	Burial Ground	*	0	0	The policy allocates land for the extension of the existing burial ground to meet the longer term needs of the community. It will not comprise buildings and will take advantage of the existing infrastructure.
8	Travellers Accommodation	**	0	0	The policy has a strong social benefit in meeting the needs of the local traveller community, of which there is already a presence in the parish. It expects the provision to be small in scale and to meet other standards required in the development plan. Its environmental effects should therefore be negligible at this scale.

Key: ** very positive * positive 0 neutral - negative -- very negative

Table B: Neighbourhood Plan & Sustainable Development Summary

5. General Conformity with the Development Plan

5.1 The Neighbourhood Plan has been prepared to ensure its general conformity with the strategic policies of the development plan for Winchester District. This comprises all the provisions of LPP1, which provides the strategic policy framework for the

Neighbourhood Plan, and some others that have been saved in the 2006 Local Plan. It is expected the Neighbourhood Plan will be examined prior to the examination of the LPP2, which will replace those 2006 Local Plan policies.

5.2 For the most part, there is a considerable degree of conformity between the Neighbourhood Plan and development plan, including in all respects of strategic policy. In cases where the Neighbourhood Plan policy requires a justification for an exceptional circumstance to a saved policy then its supporting text makes clear this justification.

No.	Policy Title	Commentary
1	Spatial Strategy	<p>The policy re-affirms the settlement boundary of Policy H3 of the 2006 Local Plan but amends it to allow for new housing allocations in Policy 2. It also accords with LPP1 Policy CP18 in defining the strategic gap between Denmead and Waterlooville to prevent their coalescence. The choice of criteria for justifying the location of settlement boundary changes accord with LPP1 policies MTRA2, CP6 and CP13 (the sustainable growth of settlements, the proximity of development to local services and facilities and the requirement for development to sit within an established landscape framework). They also accord with its Policy CP20 (reflecting distinctive landscape assets) and Policy CP17 (avoiding areas of known flood risk).</p>
2	Housing Allocations	<p>Together, the allocations provide for 130 new homes over the plan period, which accords with the LPP1 housing supply policies CP1 (requiring 2,500 dwellings from the Market Towns & Rural Area) and MTRA2 (which requires about 250 homes to be supplied by Denmead as an identified settlement). Since April 2011, approximately 120 homes have been built or consented in the Neighbourhood Area and therefore the residual supply number is met by this policy.</p> <p>In addition, the range of new homes provided across the four very different sites will meet a wide variety of housing needs but especially those of households with a need for 2/3 bedroom homes (CP2). The policy is silent on affordable homes provision as this will be applied by LPP1 Policy CP3. The policy makes some specific requirements of the sites for on-site open space, sport and recreation facilities but relies on the application of LPP1 Policy CP7 for all other such considerations.</p> <p>The policy accords with the provisions of 2006 Local Plan Policy DP3 in respect of meeting general design criteria (notably layout, scale, facilitating the development of adjoining sites) and with transport policies T2 and T3 in respect of ensuring each allocation can be satisfactorily accommodated by the local highway network,</p>

		with improvements as necessary (notably to the junction of Hambledon Road and Anmore Lane). It also embraces the landscape and amenity open space requirements of policies DP4 and DP5.
3	Housing Design	<p>The policy accords with the need for housing development proposals to respond positively to the local context and consider other design matters as set out in LPP1 Policy CP13. It also seeks to maintain a balance of housing type mix by protecting bungalow housing types from loss to alterations to make them suited to family accommodation (CP2).</p> <p>The policy accords with the provisions of 2006 Local Plan Policy DP3 in respect of meeting general design criteria (notably layout, scale).</p>
4	Parklands Business Park	<p>The policy accords with the desire of LPP1 Policy CP8 to promote economic growth through the retention and intensification of this existing, valued employment site adjoining the village. In doing so, it also accords with Policy CP9 by supporting in principle proposals to reuse existing business land and buildings for other suitable employment purposes (including a new care home), taking into account the amenities of existing occupiers. This is especially so, given the site will remain outside the defined settlement boundary of Policy 1 and development will therefore be required to adhere to the provisions of LPP1 Policy CP20 in respect of respecting the landscape quality of the countryside within which it is located. The policy accords with Policy CP7 in respect of protecting the existing amenity open space on the site to continue to serve occupiers of the business park.</p> <p>The policy also accords with 2006 Local Plan Policy DP3 in respect of ensuring proposals meet general design criteria (notably amenity, appearance).</p>
5	Sports & Leisure Facilities	The policy accords with LPP1 Policy CP7 in supporting the specific delivery of improvements in built recreational facilities on the school grounds, to complement the existing site infrastructure. In doing so, the policy requires attention is paid by future proposals to ensure that noise levels and light pollution are addressed in respect of adjoining residential areas (2006 Local Plan Policy RT13).
6	Public Car Park at Hambledon Road/Kidmore Lane	The policy accords with LPP1 Policy MTRA2 by protecting the important public car park and toilet facilities to maintain the role and function of the village centre for shoppers and other visitors. It is also consistent with 2006 Local Plan Policies SF1-SF5 in respect of supporting the continued vitality and viability of the village centre.
7	Burial Ground	The policy accords with LPP1 Policy CP6 by supporting a specific proposal to extend the existing burial ground facility.

8	Travellers Accommodation	The policy accords with LPP1 Policy CP5 by refining it to identify suitable locations within the area for new traveller accommodation sites and to specify the maximum size of that provision. In doing so, it cross-references the criteria CP5 to ensure that planning applications are also in accordance with that policy.
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Table C: Neighbourhood Plan & Development Plan Conformity Summary

6. Compatibility with EU Legislation

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

6.2 A screening opinion was issued by the City Council in February 2014 requiring that the Neighbourhood Plan should be prepared in accordance with EU Directive 2001/42 on strategic environmental assessment (SEA) as it may lead to significant environmental effects. A SEA scoping report was consulted on by the Parish Council with the statutory consultees in February/March 2014 and its framework of environmental objectives was used to inform the preparation of the Pre Submission Neighbourhood Plan in March/April 2014. A draft SEA report was published alongside the Pre Submission Neighbourhood Plan for consultation. A final SEA report is published alongside the Submission Neighbourhood Plan. The SEA has demonstrated that the policies of the Neighbourhood Plan will not lead to any significant environmental effects that cannot be avoided or mitigated by subsequent planning applications and consents.

6.3 No part of the Neighbourhood Area lies within a zone of influence of any Special Protection Area, a European designated nature site. There has therefore been no requirement for a Habitats Regulation Assessment report in accordance with the EU Habitats Regulations.