

**Upper Clatford Neighbourhood Development Plan 2019-2029**

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# **Basic Conditions Statement**

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# 1. INTRODUCTION

- 1.1 A draft Neighbourhood Development Plan must meet each of a set of basic conditions before it can be put to a referendum and be made. The basic conditions are set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 (as amended).
- 1.2 This Statement has been prepared for Upper Clatford Parish Council to demonstrate that the Upper Clatford Neighbourhood Development Plan 2019-2029 (the NDP) meets legal requirements and the prescribed basic conditions.
- 1.3 The Statement confirms that:
- the legal requirements have been met (section 2).
  - having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the NDP (section 3).
  - the NDP contributes to sustainable development (section 4).
  - the NDP is in general conformity with the strategic policies contained in the relevant development plan, Test Valley Borough Council's Adopted Local Plan 2011-2029 (the Local Plan) (section 5).
  - the NDP does not breach and is otherwise compatible with EU obligations, and that the making of the NDP does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017 (section 6).

## **2. LEGAL REQUIREMENTS**

- 2.1 The NDP relates to the area that was designated by Test Valley Borough Council as a Neighbourhood Area on 2 September 2019. The NDP relates only to this Neighbourhood Area. No other Neighbourhood Development Plan has or is being made for the Neighbourhood Area.
- 2.2 Upper Clatford Parish Council is a qualifying body.
- 2.3 The NDP is a plan which sets out policies in relation to the development and use of land in the Neighbourhood Area and which has been prepared in accordance with the statutory provisions.
- 2.4 The NDP specifies the period for which it is to have effect (2019-2029).
- 2.5 The NDP does not include provision about development that is excluded development, such as mineral and waste matters, nationally significant infrastructure projects or other prescribed development under section 61K of the Town and Country Planning Act 1990.

### 3. REGARD TO NATIONAL POLICIES AND ADVICE

- 3.1 The NDP has been prepared with appropriate regard to the guidance contained in the National Planning Policy Framework (NPPF)<sup>1</sup> and Planning Practice Guidance (PPG).<sup>2</sup> The NDP will help achieve national planning policies at the parish level.
- 3.2 NPPF paragraph 13 sets out requirements for how communities should engage in neighbourhood planning. In accordance with this national policy, the NDP supports the delivery of strategic policies set out in the Local Plan, including its policies for housing and economic development, and seeks to shape and direct development that is outside these strategic policies.
- 3.3 In accord with NPPF paragraph 16, the NDP:
- contributes to the objective of achieving sustainable development, as explained in section 4 of this Statement.
  - has been prepared positively.
  - has been shaped by early, proportionate and effective engagement with the community and other consultees, as explained in the Consultation Statement.
  - contains policies that are clearly written and unambiguous.
  - is accessible via the Parish Council website.
  - serves a clear purpose in the context of the Upper Clatford Neighbourhood Area, complementing rather than duplicating existing national and Local Plan policies as explained in this section and section 5.
- 3.4 The NPPF sets out more specific guidance on neighbourhood plans as follows:
- NPPF paragraph 29: Upper Clatford Parish Council have used neighbourhood planning powers to develop a local vision for the Neighbourhood Area and to set planning policies in the NDP as part of the statutory development plan.
  - NPPF paragraph 29: the NDP is considered to be in general conformity with the strategic policies of the Local Plan.<sup>3</sup> The NDP reflects the strategic policies and plans positively to support them. It does not promote less development than set out in the Local Plan, or undermine its strategic policies. The NDP provides criteria-based planning policies to guide new housing, economic development and environmental protection. The general conformity of the NDP with the strategic policies of the Local Plan is set out in more detail in section 5.

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<sup>1</sup> February 2019.

<sup>2</sup> <https://www.gov.uk/government/collections/planning-practice-guidance>

<sup>3</sup> Test Valley Borough Council, Adopted Local Plan 2011-2029, Annex A.

- NPPF paragraph 31: the preparation and review of all policies should be underpinned by relevant and up-to-date evidence. This should be adequate and proportionate, focussed tightly on supporting and justifying the policies concerned. In preparing the NDP, use has been made of existing published and other evidence sources, supplemented as necessary by information gathered locally through resident and business surveys and the preparation of policy-focussed Evidence Statements. This supporting material is referred to throughout the NDP as required and is summarised in Appendix A of the Plan.

3.5 PPG indicates that a policy should be clear and unambiguous to enable a decision maker to apply it consistently and with confidence when determining planning applications. The guidance further advises that policies should be concise, precise and supported by appropriate evidence, reflecting and responding to both the context and the characteristics of the area.<sup>4</sup> There is no ‘tick box’ list of evidence required, but proportionate, robust evidence should support the choices made and the approach taken. The evidence should be drawn upon to explain succinctly the intention and rationale of the policies.<sup>5</sup> In accordance with this guidance, NDP policies have been carefully drafted to be clear and unambiguous and are based on appropriate and proportionate evidence. The evidence supporting each policy is confirmed in the explanatory text.

3.6 The regard had to national policies is set out in more detail on an NDP policy-by-policy basis in Table 1.

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<sup>4</sup> PPG Paragraph: 041 Reference ID: 41-041-20140306.

<sup>5</sup> PPG Paragraph: 040 Reference ID: 41-040-20160211

**Table 1: National policies by NDP policy**

NDP policy	Regard to national policies
<p><b>Policy UC1 Sustainable development</b></p> <p>Development proposals which contribute to the sustainable development of the Upper Clatford Neighbourhood Area will be supported. In making this assessment, the following objectives will be sought and balanced, as relevant to the proposal:</p> <ol style="list-style-type: none"> <li>1. Retaining and enhancing social and community infrastructure, and promoting and enabling new provision, to meet a range of needs and promote quality of life;</li> <li>2. Supporting new and expanded employment opportunities which are compatible and in scale with the rural nature of the area; and</li> <li>3. Taking all opportunities to conserve and enhance the built, historic and natural environments.</li> </ol>	<p>Policy UC1 reflects the national policy objective that the purpose of the planning system is to contribute to the achievement of sustainable development, and that in doing so economic, social and environmental objectives should be pursued in a mutually supportive way (NPPF paras. 7 and 8).</p> <p>The NDP is the vehicle for guiding development in the locality towards sustainable solutions, taking into account the character, needs and opportunities of the Neighbourhood Area (NPPF para.9).</p>
<p><b>Policy UC2 Community services, facilities and recreation</b></p> <p>Community services and facilities Development involving the loss of services such as:</p> <ul style="list-style-type: none"> <li>• the Crook and Shears public house</li> <li>• Greenfield Farm Shop</li> </ul> <p>shown on Plan 2 will only be supported where it has been demonstrated that the current use is no longer or cannot be made commercially viable, or the building is no longer suitable, or it is no longer needed. Proposals for community-led provision of services will be supported.</p> <p>Development involving the loss of facilities such as those provided at:</p> <ul style="list-style-type: none"> <li>• All Saints’ Church</li> <li>• Upper Clatford Village Hall (King Edward VII Memorial Hall)</li> </ul> <p>shown on Plan 2 will only be supported where it has been demonstrated that there is no longer a need for the facility for the existing or another community use, or that the building is no longer suitable. Proposals for the enhancement of community facilities and for new provision will be supported.</p>	<p>Policy UC2 seeks the retention and development of accessible local services and community facilities, as part of supporting a prosperous rural economy in line with NPPF para. 83 d).</p> <p>It takes account of NPPF para. 92 which requires planning policies to plan positively for the provision and use of community facilities and other local services to enhance the sustainability of communities and residential environments.</p> <p>It also has regard to NPPF para. 97 in respect of recreational land and buildings, adding reference to access by sustainable modes of transport in accord with NPPF para. 91 c).</p>



NDP policy	Regard to national policies
<p>Recreational land and buildings Development resulting in the loss of open space, sport and recreational land and buildings such as those provided at:</p> <ul style="list-style-type: none"> <li>• Anna Valley playing field and play area</li> <li>• Balksbury Bridge playing field</li> <li>• Village Green</li> <li>• Sports Field</li> </ul> <p>shown on Plan 3 will only be supported if:</p> <ol style="list-style-type: none"> <li>1. It has been demonstrated the facility is surplus to requirements, taking into account the full range of community needs for leisure and recreation, or</li> <li>2. The loss would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location, taking into account accessibility by foot, cycle and public transport; or</li> <li>3. The development is for alternative sports or recreational provision, the benefits of which clearly outweigh the loss of the current or former use.</li> </ol>	
<p><b>Policy UC3 Housing mix</b></p> <p>In all cases, housing proposals in the Upper Clatford Neighbourhood Area should be able to demonstrate that they are of a type and size that positively contribute to meeting the latest assessment of housing needs, particularly for smaller properties.</p> <p>Development proposals which provide housing of a suitable type, size and tenure to meet local needs will be supported. In particular, smaller 2- or 3-bedroom property will be encouraged, as well as schemes designed to meet the needs of older people, people with disabilities, first-time buyers and young families. Consideration will be given to restricting permitted development rights through the use of a planning condition where this is necessary in order to ensure that:</p> <ol style="list-style-type: none"> <li>1. Schemes are delivered to satisfy the local needs which they were proposed to meet; and</li> <li>2. The continued availability of schemes to meet those needs is brought within planning control.</li> </ol>	<p>Policy UC3 seeks to ensure that housing needs and requirements in the Neighbourhood Area will be met in accord with NPPF paras. 59 and 77. The policy is responsive to local circumstances and supports housing developments that reflect local needs as to size, type and tenure in accord with NPPF para. 61.</p>

NDP policy	Regard to national policies
<p><b>Policy UC4 Small-scale employment development</b></p> <p>Development proposals to enable the creation or expansion of small-scale business enterprises will be supported provided they are of a type and use appropriate to their location and that the impacts on residential amenity and highway safety and capacity are or can be made acceptable. This includes:</p> <ol style="list-style-type: none"> <li>1. Proposals for new and extended small-scale business uses providing these are within the Upper Clatford/Anna Valley settlement boundary or on existing employment sites in the countryside; and</li> <li>2. The re-use of redundant rural buildings for business and tourism use; and</li> <li>3. Extensions to existing dwellings needed to enable home working; and</li> <li>4. The development and diversification of farm, forestry and other land-based rural businesses.</li> </ol>	<p>Policy UC4 aims to encourage the sustainable economic growth and expansion of businesses in the Neighbourhood Area as set out in NPPF para. 83. It recognises that opportunities to meet business needs may arise outside existing settlements (NPPF para. 84).</p>
<p><b>Policy UC5 Renewable and low carbon energy projects</b></p> <p>Proposals for renewable energy projects and associated infrastructure will only be supported where they can demonstrate that the following requirements can be met. In making this assessment, any other existing, permitted or proposed similar developments in the locality will be taken into account so that cumulative impacts are considered. Wherever possible, proposals should be situated on previously-developed or non-agricultural land which is not of high environmental value. The requirements are that:</p> <ol style="list-style-type: none"> <li>1. Any proposed use of agricultural land has been shown to be necessary, that poorer quality land has been used in preference to land of higher quality, and that the proposal allows for continued agricultural use where applicable and encourages biodiversity improvements; and</li> <li>2. The impacts on landscape character, views and visual amenity are acceptable, or are capable of being satisfactorily mitigated by a landscaping scheme which is itself acceptable; and</li> <li>3. There will be no undue loss of amenity to the occupiers of residential properties, including by way of external security fencing, lighting or the design and siting of any installation; and</li> <li>4. The local highway network and the proposed means of vehicular access can cater</li> </ol>	<p>Policy UC5 supports suitable renewable and low carbon energy development while ensuring that adverse impacts, including cumulative landscape and visual impacts, are addressed satisfactorily in accord with NPPF para. 151 a).</p>

NDP policy	Regard to national policies
<p>safely for both the volume and type of vehicles anticipated, and the proposed access is environmentally acceptable; and</p> <ol style="list-style-type: none"> <li>5. Where relevant, sustainable drainage proposals are included to acceptably manage surface water and avoid risk of pollution, soil erosion and damage to wildlife habitats; and</li> <li>6. Any affected heritage assets have been conserved in a manner appropriate to their significance, taking account of the impact of proposals on views important to their setting; and</li> <li>7. There are no unacceptable impacts to biodiversity interests; and</li> <li>8. There are no unacceptable impacts on the utility and enjoyment of public rights of way.</li> </ol> <p>Where appropriate, planning conditions will be imposed to ensure that installations are removed when no longer in use and the land is restored to its previous use and condition.</p>	
<p><b>Policy UC6 Design</b></p> <p>Development proposals should achieve a high quality of design which serves to maintain and enhance local distinctiveness. Proposals should respond positively to the character of surrounding development with regard to layout, density, scale, height, appearance, architectural detailing, materials, landscaping, means of access and enclosure, and respect the amenity of existing and future occupiers whilst making efficient use of land. Proposals should also comply with guidance set out in the Upper Clatford and Anna Valley Village Design Statement, as follows:</p> <p>Countryside and landscape setting</p> <ol style="list-style-type: none"> <li>1. The water meadows and adjacent open areas are important village features whose character should be maintained; and</li> <li>2. The landscape setting of the settlements and their relationship with the surrounding countryside should be maintained.</li> </ol> <p>Form of settlement and open spaces</p> <ol style="list-style-type: none"> <li>3. Any future development should take into account the linear form of the villages and their separation from Andover; and</li> </ol>	<p>Policy UC6 seeks to achieve a high quality of design reflecting NPPF paras. 124 to 127. The policy provides guidance derived from the Upper Clatford and Anna Valley Village Design Statement on a range of matters including countryside and landscape setting, the form of settlement and open spaces, and architecture.</p>

NDP policy	Regard to national policies
<p>4. Existing open recreational spaces that preserve the rural identity of the villages should be maintained and where possible improved; and</p> <p>5. The rich and varied stock of trees within and around the villages should be maintained, and where appropriate, increased.</p> <p>Building and materials</p> <p>6. Development should be designed to be in sympathy with existing and surrounding properties, using matching materials wherever possible; and</p> <p>7. In Upper Clatford, reflect the historic narrow street pattern, plot shape and size, preserve continuous building frontages and the irregular roof line, and maintain the scale, density and setting of the settlements; and</p> <p>8. In Upper Clatford, make maximum use of traditional materials such as thatch, clay tiles/slates; lime-based render, brick and flint; and timber woodwork. Hedging is preferred as a boundary treatment over timber fencing.</p>	
<p><b>Policy UC7 Upper Clatford Conservation Area</b></p> <p>Development proposals in or adjacent to the Upper Clatford Conservation Area should preserve or enhance its character or appearance, having regard to its significance and special interest as set out in the Character Appraisal. In particular, proposals should:</p> <ol style="list-style-type: none"> <li>1. Retain areas of open land and water meadows which contribute to the setting of the Conservation Area, including the countryside gap which separates Upper Clatford and Goodworth Clatford; and</li> <li>2. Retain the historic plan form of development and avoid the sub-division of plots; and</li> <li>3. Retain a strong building frontage or boundary treatment to the back of the pavement along the Village Street; and</li> <li>4. Avoid inappropriate infill development and materials which do not respect the character of historic buildings or the street scene; and</li> <li>5. Ensure that proposals involving outbuildings are, or will remain, subservient to the main building in terms of function, scale, height and massing. The addition of rooms above the ground floor of such outbuildings will be resisted; and</li> <li>6. Protect the views identified in the Character Appraisal and which are listed at Table 2 and shown on Plan 5; and</li> </ol>	<p>Policy UC7 has regard to national policy in NPPF chapter 16 which deals with conserving and enhancing the historic environment. It provides criteria for the assessment of development proposals derived from the Character Appraisal; this sets out the key characteristics which give the Conservation Area its special architectural and historic interest.</p>

NDP policy	Regard to national policies
<p>7. Provide an archaeological assessment to an agreed specification where the proposed works will include ground disturbance within the identified Areas of Archaeological Potential.</p> <p>Non-designated heritage assets are identified in Table 3. The effects of development proposals on their significance will be taken into account in accord with Local Plan and national planning policy.</p>	
<p><b>Policy UC8 Landscape character</b></p> <p>Development proposals will be supported where it can be shown that:</p> <ol style="list-style-type: none"> <li>1. Landscape character will be protected, conserved and where possible enhanced when assessed against relevant guidelines in the Test Valley Landscape Character Assessment; and</li> <li>2. The following important local landscape features will be conserved and where possible enhanced: <ul style="list-style-type: none"> <li>• River Valley Floors of the Pillhill Brook and Lower River Anton</li> <li>• water meadows and river valley floor enclosures</li> <li>• watercress beds</li> <li>• Upper Clatford and Anna Valley: Chalk River Valley settlements</li> <li>• Bury Hill Fort</li> <li>• Anna Valley Chalk Pit</li> <li>• Red Rice estate woodpasture, parkland and woodland</li> <li>• Upper Oakcuts Copse; and</li> </ul> </li> <li>3. To conserve the following important local landscape elements, with every opportunity taken to restore and where possible enhance and make new provision: <ul style="list-style-type: none"> <li>• hedgerows</li> <li>• trees and woodland</li> <li>• traditional orchard.</li> </ul> </li> </ol>	<p>Policy UC8 has regard to national policy in NPPF chapter 15 which deals with conserving and enhancing the natural environment.</p> <p>It is in line with NPPF para. 170 which requires planning policies to contribute to and enhance the natural and local environment by protecting valued landscapes in a manner commensurate with their statutory status or identified quality, and to recognise the intrinsic character and beauty of the countryside.</p>

NDP policy	Regard to national policies
<p><b>Policy UC9 Landscape and settlement views</b></p> <p>Development proposals in the Upper Clatford Neighbourhood Area should not block, or materially intrude into or detract from, important public views comprising:</p> <ol style="list-style-type: none"> <li>1. Landscape views of the countryside (Plan 7 and Table 4); and</li> <li>2. Settlement views of the approaches to the villages and along the valley floor (Plan 8 and Table 5).</li> </ol>	<p>Policy UC9 identifies important views of the landscape and settlements in the Neighbourhood Area. In doing so it contributes to an appreciation of the intrinsic character and beauty of the countryside (NPPF para. 170 b)) and helps to ensure that development is sympathetic to local character and history, including the surrounding built environment and landscape setting (NPPF para. 127 c)).</p>
<p><b>Policy UC10 Andover – Anna Valley/Upper Clatford Local Gap</b></p> <p>Component areas of the Anna Valley/Upper Clatford Local Gap are identified on the basis of their contribution to the physical and visual separation between Andover and Anna Valley/Upper Clatford (Plan 9). Development proposals will only be supported when they do not compromise the contribution of the relevant component area(s) to physical separation, visual separation or to the integrity of the Gap, as this contribution is described in Table 6.</p> <p>Maintaining the physical separation, visual separation and integrity of the Local Gap is of importance when considering:</p> <ol style="list-style-type: none"> <li>1. Proposals for the extension of existing dwellings or the creation and extension of ancillary domestic buildings under Local Plan policy COM11; and</li> <li>2. Proposals which fall within both the Local Gap and the Anna Valley/Upper Clatford settlement boundary (Local Plan policy COM2); and</li> <li>3. Proposals for employment sites in the countryside under Local Plan policy LE17.</li> </ol> <p>In all cases, regard will be had to building scale, footprint, massing, height, design and to the suitability of the proposed use to the rural landscape of the Local Gap. Any intensification likely to arise when compared to the current use will be taken into account.</p> <p>This policy is in addition to the provisions of Local Plan policy E3.</p>	<p>Policy UC10 provides information on the character of the Local Plan-defined Local Gap between Andover and Anna Valley/Upper Clatford. It identifies the special quality of component parts of the Local Gap and explains how these qualities should be reflected in development, pursuant to NPPF para. 125. This will help ensure development is sympathetic to local character and history, including the landscape setting, and will serve to maintain a strong sense of place (NPPF para. 127 c) and d)).</p> <p>Policies UC10, UC11 and UC12 taken together recognise that land in the Local Gap performs many functions including for wildlife, visual amenity, recreational and functional access, food production and flood risk mitigation (NPPF para 118 b)).</p>

NDP policy	Regard to national policies
<p><b>Policy UC11 Local Green Spaces</b></p> <p>The following sites as shown on Plan 10 are designated as Local Green Spaces:</p> <p>LGS1: copse at Anna Valley  LGS2: former watercress beds west of Balksbury Hill  LGS3: former watercress beds east of Balksbury Hill  LGS4: flood plain and meadow, Upper Clatford  Parish-owned or maintained open spaces comprising:  LGS5A: Anna Valley amenity open spaces  LGS5B: Anna Valley playing field  LGS5C: Anna Valley chalk pit  LGS5D: Anna Valley play area  LGS5E: Balksbury Bridge playing field  LGS5F: Village Green  LGS5G: Sports Field</p> <p>Development that would result in the loss or partial loss of these Local Green Spaces will not be supported unless very special circumstances arise which outweigh the need for protection.</p>	<p>Policy UC11 provides for the designation of Local Green Space in accord with the provisions of NPPF paras. 99-101. The NDP’s vision, objectives and policy UC1 make it clear that the designations have been taken into account in, and are consistent with, the local planning of sustainable development, and that they complement investment in jobs, homes and other essential services. All the designations are capable of enduring beyond 2029. The explanatory text to the policy at Table 7 explains how each Local Green Space meets the qualifying criteria set out in NPPF para. 100.</p>
<p><b>Policy UC12 Sites of Importance for Nature Conservation</b></p> <p>Sites of Importance for Nature Conservation in or adjacent to the Upper Clatford Neighbourhood Area will be protected in accordance with Test Valley Local Plan policy E5, particularly taking account of their role in the Pillhill Brook and River Anton corridors as part of a wider network of other designated sites and priority habitats.</p> <p>Sites of Importance for Nature Conservation which have been formally proposed or are otherwise under consideration will be given an equivalent status to designated Sites, in accordance with the precautionary principle.</p>	<p>Policy UC12 identifies and maps locally-designated sites of importance for biodiversity in accord with NPPF para. 174 a). It also promotes conserving, restoring and enhancing a network of sites and habitats, in line with NPPF para. 171 and 174 b).</p>

## 4. ACHIEVEMENT OF SUSTAINABLE DEVELOPMENT

- 4.1 The making of the Upper Clatford NDP will contribute to the achievement of sustainable development.
- 4.2 The NPPF explains that achieving sustainable development means that the planning system has three overarching objectives:
- **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
  - **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and
  - **an environmental objective** – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
- 4.3 The NPPF emphasises that these objectives are interdependent and need to be pursued in mutually supportive ways, so that opportunities can be taken to secure net gains across each of the objectives. The objectives should be delivered through the preparation and implementation of plans and the application of the policies in the Framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.
- 4.4 Section 3 of this Statement explains how the NDP has had regard to national policy and advice, and thus how it will contribute to the achievement of sustainable development.
- 4.5 The NDP is also considered to be in general conformity with the strategic policies in the Local Plan (see section 5). The Local Plan sets out a spatial strategy to achieve sustainable development in Test Valley Borough that improves the economic, social and environmental conditions of the area. These themes echo the three objectives for the planning system defined in the NPPF. Having regard to this context, the NDP will deliver sustainable development by setting out a balanced set of policies which address each of the strategic themes in the Local Plan.



4.6 Policy UC1 establishes that the NDP will play an active role in guiding development in the Neighbourhood Area to a sustainable solution. The aim will be to consider how individual proposals contribute to sustainability, assessed across economic, social and environmental objectives, to best deliver the NDP’s vision and objectives. Importantly the policy approach recognises the interdependence of the objectives and the need to take into account the character, needs and opportunities of the Neighbourhood Area. Table 2 sets out how the NDP will help achieve sustainable development, by contributing to each of the three national objectives through its Vision, objectives and policies.

**Table 2: Sustainable development**

Objective	How the Upper Clatford NDP contributes
Economic	<p>The Vision includes that by 2029 residents will enjoy an excellent quality of life with community services and facilities that are supported and well-used.</p> <p>Relevant objectives include to support the local economy, by enabling employment development in scale and keeping with the Neighbourhood Area; to provide a framework for the assessment of proposals for the provision of renewable and low carbon energy; and to protect, maintain and improve community services and facilities.</p> <p>Plan policies directly address the economic objective by:</p> <ul style="list-style-type: none"> <li>• Supporting the retention and continued viability of valued community services and facilities (policy UC2).</li> <li>• Supporting proposals for the creation or expansion of small-scale business enterprises (policy UC4).</li> <li>• Providing planning policy criteria for the assessment of proposals for renewable and low carbon energy generation (policy UC5).</li> <li>• Providing planning policy criteria for the assessment of proposed development, giving guidance to those bringing proposals forward (policy UC6).</li> </ul> <p>Other NDP policies support the economic objective indirectly. Policies addressing the social objective help to maintain and promote a thriving rural community and thus demand for goods and services. Policies addressing the environmental objective serve to protect, conserve and enhance the natural and historic environments, providing a stable basis for economic activity.</p>
Social	<p>The Vision includes that by 2029 residents will enjoy an excellent quality of life in three visually attractive, distinctive and independent settlements, where decisions on future development are locally influenced and informed; new development is in sympathy with surrounding houses, areas and the landscape; community services and facilities are supported and well-used, and formal and informal recreational spaces and access to the countryside is protected and extended.</p> <p>Relevant objectives include to protect, maintain and improve community services and facilities, including open space and buildings</p>

Objective	How the Upper Clatford NDP contributes
	<p>used for sport and recreation, to support health and well-being and promoting a thriving rural community; to help meet housing requirements by encouraging a mix of type and size of properties in line with community needs; to maintain a sense of place and local distinctiveness; and to identify and protect Local Green Spaces of particular importance to the local community.</p> <p>Plan policies directly address the social objective by:</p> <ul style="list-style-type: none"> <li>• Protecting community services, facilities, and recreational land and buildings, supporting the health, social and cultural well-being of the community (policy UC2).</li> <li>• Requiring new housing to be of a type and size that contributes to meeting housing needs (policy UC3).</li> <li>• Requiring a high quality of design in new development, including ensuring that the amenity of existing and future occupants is considered when development proposals are made (policy UC6).</li> <li>• Maintaining a sense of place and fostering community identity by ensuring new development has regard to the character of surrounding development, and by protecting landscape character, landscape and settlement views and the separation between settlements (policies UC6, UC8, UC9 and UC10).</li> <li>• Designating and protecting Local Green Spaces which are demonstrably special to the community and hold a particular local significance (policy UC11).</li> </ul> <p>Other NDP policies support the social objective indirectly. Policies addressing the economic objective support proposals for the creation or expansion of small-scale business enterprises, enabling local employment opportunities. Policies addressing the environmental objective serve to protect the Neighbourhood Area’s built, historic and natural environments which contributes to the sense of place, character and community identity.</p>
Environmental	<p>The Vision includes that by 2029 residents will enjoy an excellent quality of life in three visually attractive, distinctive and independent settlements set in unspoilt, tranquil and accessible countryside where coalescence with Andover and other neighbouring settlements has been avoided; new development is in sympathy with surrounding houses, areas and the landscape; heritage assets are preserved; and wildlife habitats and ecological corridors are protected and enhanced.</p> <p>Relevant objectives include to maintain and enhance the built environment; to ensure that the special interest, character and appearance of the Upper Clatford Conservation Area is protected and enhanced; to protect and enhance landscape character; to protect important views of the landscape and the settlements within it; to assist in maintaining the sense of place and local distinctiveness provided by the Andover – Anna Valley/Upper Clatford Local Gap; to identify and protect Local Green Spaces of particular importance to the local community; and to recognise the contribution of designated and proposed Sites of Importance for Nature Conservation to the maintenance of biodiversity and a coherent network of sites and habitats, and to achieving a net gain in biodiversity over the plan period.</p>

Objective	How the Upper Clatford NDP contributes
	<p>Plan policies directly address the environmental objective by:</p> <ul style="list-style-type: none"> <li>• Providing planning policy criteria for the assessment of proposals for renewable and low carbon energy projects which safeguard agricultural land, landscape character, views, visual and residential amenity, drainage, heritage and biodiversity interests (policy UC5).</li> <li>• Requiring a high quality of design in new development (policy UC6).</li> <li>• Providing planning policy criteria to ensure that development proposals preserve or enhance the character or appearance of the Upper Clatford Conservation Area (policy UC7).</li> <li>• Protecting landscape character and landscape and settlement views (policies UC8 and UC9).</li> <li>• Setting out how component areas of the Anna Valley/Upper Clatford Local Gap contribute to the physical and visual separation between these settlements and Andover (policy UC10).</li> <li>• Designating and protecting Local Green Spaces which are demonstrably special to the community and hold a particular local significance (policy UC11).</li> <li>• Identifying designated and proposed Sites of Importance for Nature Conservation and acknowledging their role as part of a wider network of sites and habitats (policy UC12).</li> </ul> <p>Other NDP policies support the environmental objective indirectly. Policies addressing the social objective help to promote the health, social and cultural well-being of the community by making use of the local environment in varying ways including formal and informal recreation. Policies addressing the economic objective support the continued delivery of goods and services locally, reducing the need to travel.</p>

## 5. GENERAL CONFORMITY WITH STRATEGIC POLICY

- 5.1 The Upper Clatford NDP is in general conformity with the strategic policies in the development plan for the area. This is Test Valley Borough Council's Adopted Local Plan 2011-2029. The strategic policies are identified in Annex A to the Local Plan. Table 3 explains how each of the NDP's policies align with these policies. The Local Plan can be seen at <https://www.testvalley.gov.uk/planning-and-building/planningpolicy/local-development-framework/dpd>.

**Table 3: General conformity of NDP policies with strategic policies.**

NDP policy	Local Plan strategic policies
<p><b>Policy UC1 Sustainable development</b></p> <p>Development proposals which contribute to the sustainable development of the Upper Clatford Neighbourhood Area will be supported. In making this assessment, the following objectives will be sought and balanced, as relevant to the proposal:</p> <ol style="list-style-type: none"> <li>1. Retaining and enhancing social and community infrastructure, and promoting and enabling new provision, to meet a range of needs and promote quality of life;</li> <li>2. Supporting new and expanded employment opportunities which are compatible and in scale with the rural nature of the area; and</li> <li>3. Taking all opportunities to conserve and enhance the built, historic and natural environments.</li> </ol>	<p>Policy UC1 is in general conformity with strategic policy SD1 <i>Presumption in Favour of Sustainable Development</i>.</p> <p>It adds local detail as to the social, economic and environmental objectives of sustainable development within the Neighbourhood Area.</p>
<p><b>Policy UC2 Community services, facilities and recreation</b></p> <p>Community services and facilities Development involving the loss of services such as:</p> <ul style="list-style-type: none"> <li>• the Crook and Shears public house</li> <li>• Greenfield Farm Shop</li> </ul> <p>shown on Plan 2 will only be supported where it has been demonstrated that the current use is no longer or cannot be made commercially viable, or the building is no longer suitable, or it is no longer needed. Proposals for community-led provision of services will be supported.</p>	<p>Policy UC2 is in general conformity with strategic policies COM14 <i>Community Services &amp; Facilities</i> and LHW1 <i>Public Open Space</i>.</p> <p>It adds local detail by identifying specific community facilities and open spaces which are to be protected under the policy, and the exceptional circumstances in which their loss could be supported; and by encouraging new provision.</p>

NDP policy	Local Plan strategic policies
<p>Development involving the loss of facilities such as those provided at:</p> <ul style="list-style-type: none"> <li>• All Saints’ Church</li> <li>• Upper Clatford Village Hall (King Edward VII Memorial Hall)</li> </ul> <p>shown on Plan 2 will only be supported where it has been demonstrated that there is no longer a need for the facility for the existing or another community use, or that the building is no longer suitable. Proposals for the enhancement of community facilities and for new provision will be supported.</p> <p>Recreational land and buildings</p> <p>Development resulting in the loss of open space, sport and recreational land and buildings such as those provided at:</p> <ul style="list-style-type: none"> <li>• Anna Valley playing field and play area</li> <li>• Balsbury Bridge playing field</li> <li>• Village Green</li> <li>• Sports Field</li> </ul> <p>shown on Plan 3 will only be supported if:</p> <ol style="list-style-type: none"> <li>1. It has been demonstrated the facility is surplus to requirements, taking into account the full range of community needs for leisure and recreation, or</li> <li>2. The loss would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location, taking into account accessibility by foot, cycle and public transport; or</li> <li>3. The development is for alternative sports or recreational provision, the benefits of which clearly outweigh the loss of the current or former use.</li> </ol>	
<p><b>Policy UC3 Housing mix</b></p> <p>In all cases, housing proposals in the Upper Clatford Neighbourhood Area should be able to demonstrate that they are of a type and size that positively contribute to meeting the latest assessment of housing needs, particularly for smaller properties.</p> <p>Development proposals which provide housing of a suitable type, size and tenure to meet local needs will be supported. In particular, smaller 2- or 3-bedroom property will be encouraged, as well as schemes designed to meet the needs of older people, people with</p>	<p>Policy UC3 is in general conformity with strategic policy COM1 <i>Housing Provision 2011-2029</i>.</p> <p>It adds local detail by setting out the type and size of housing that will be required to meet local needs.</p>

NDP policy	Local Plan strategic policies
<p>disabilities, first-time buyers and young families. Consideration will be given to restricting permitted development rights through the use of a planning condition where this is necessary in order to ensure that:</p> <ol style="list-style-type: none"> <li>1. Schemes are delivered to satisfy the local needs which they were proposed to meet; and</li> <li>2. The continued availability of schemes to meet those needs is brought within planning control.</li> </ol>	
<p><b>Policy UC4 Small-scale employment development</b></p> <p>Development proposals to enable the creation or expansion of small-scale business enterprises will be supported provided they are of a type and use appropriate to their location and that the impacts on residential amenity and highway safety and capacity are or can be made acceptable. This includes:</p> <ol style="list-style-type: none"> <li>1. Proposals for new and extended small-scale business uses providing these are within the Upper Clatford/Anna Valley settlement boundary or on existing employment sites in the countryside; and</li> <li>2. The re-use of redundant rural buildings for business and tourism use; and</li> <li>3. Extensions to existing dwellings needed to enable home working; and</li> <li>4. The development and diversification of farm, forestry and other land-based rural businesses.</li> </ol>	<p>Policy UC4 is in general conformity with strategic policy COM2 <i>Settlement Hierarchy</i>.</p> <p>It adds local detail by identifying the type of small-scale businesses that will be supported subject to the policy criteria.</p>
<p><b>Policy UC5 Renewable and low carbon energy projects</b></p> <p>Proposals for renewable energy projects and associated infrastructure will only be supported where they can demonstrate that the following requirements can be met. In making this assessment, any other existing, permitted or proposed similar developments in the locality will be taken into account so that cumulative impacts are considered. Wherever possible, proposals should be situated on previously-developed or non-agricultural land which is not of high environmental value. The requirements are that:</p> <ol style="list-style-type: none"> <li>1. Any proposed use of agricultural land has been shown to be necessary, that poorer quality land has been used in preference to land of higher quality, and that the proposal allows for continued agricultural use where applicable and encourages</li> </ol>	<p>Policy UC5 is in general conformity with strategic policies E2 <i>Protect, Conserve and Enhance the Landscape Character of the Borough</i>, E5 <i>Biodiversity</i>, E7 <i>Water Management</i>, E9 <i>Heritage</i> and T1 <i>Managing Movement</i>.</p> <p>It adds local detail by providing a specific policy for renewable and low carbon energy projects, addressing issues of concern in the Neighbourhood Area.</p>

NDP policy	Local Plan strategic policies
<p>biodiversity improvements; and</p> <ol style="list-style-type: none"> <li>2. The impacts on landscape character, views and visual amenity are acceptable, or are capable of being satisfactorily mitigated by a landscaping scheme which is itself acceptable; and</li> <li>3. There will be no undue loss of amenity to the occupiers of residential properties, including by way of external security fencing, lighting or the design and siting of any installation; and</li> <li>4. The local highway network and the proposed means of vehicular access can cater safely for both the volume and type of vehicles anticipated, and the proposed access is environmentally acceptable; and</li> <li>5. Where relevant, sustainable drainage proposals are included to acceptably manage surface water and avoid risk of pollution, soil erosion and damage to wildlife habitats; and</li> <li>6. Any affected heritage assets have been conserved in a manner appropriate to their significance, taking account of the impact of proposals on views important to their setting; and</li> <li>7. There are no unacceptable impacts to biodiversity interests; and</li> <li>8. There are no unacceptable impacts on the utility and enjoyment of public rights of way.</li> </ol> <p>Where appropriate, planning conditions will be imposed to ensure that installations are removed when no longer in use and the land is restored to its previous use and condition.</p>	
<p><b>Policy UC6 Design</b></p> <p>Development proposals should achieve a high quality of design which serves to maintain and enhance local distinctiveness. Proposals should respond positively to the character of surrounding development with regard to layout, density, scale, height, appearance, architectural detailing, materials, landscaping, means of access and enclosure, and respect the amenity of existing and future occupiers whilst making efficient use of land. Proposals should also comply with guidance set out in the Upper Clatford and Anna Valley Village Design Statement, as follows:</p> <p>Countryside and landscape setting</p>	<p>Policy UC6 is in general conformity with strategic policy E1 <i>High Quality Development in the Borough</i>.</p> <p>It adds local detail on relevant considerations such as layout, density, scale, height and amenity, as well as reference to the guidance in the Upper Clatford and Anna Valley Village Design Statement.</p>

NDP policy	Local Plan strategic policies
<p>1. The water meadows and adjacent open areas are important village features whose character should be maintained; and</p> <p>2. The landscape setting of the settlements and their relationship with the surrounding countryside should be maintained.</p> <p>Form of settlement and open spaces</p> <p>3. Any future development should take into account the linear form of the villages and their separation from Andover; and</p> <p>4. Existing open recreational spaces that preserve the rural identity of the villages should be maintained and where possible improved; and</p> <p>5. The rich and varied stock of trees within and around the villages should be maintained, and where appropriate, increased.</p> <p>Building and materials</p> <p>6. Development should be designed to be in sympathy with existing and surrounding properties, using matching materials wherever possible; and</p> <p>7. In Upper Clatford, reflect the historic narrow street pattern, plot shape and size, preserve continuous building frontages and the irregular roof line, and maintain the scale, density and setting of the settlements; and</p> <p>8. In Upper Clatford, make maximum use of traditional materials such as thatch, clay tiles/slates; lime-based render, brick and flint; and timber woodwork. Hedging is preferred as a boundary treatment over timber fencing.</p>	
<p><b>Policy UC7 Upper Clatford Conservation Area</b></p> <p>Development proposals in or adjacent to the Upper Clatford Conservation Area should preserve or enhance its character or appearance, having regard to its significance and special interest as set out in the Character Appraisal. In particular, proposals should:</p> <p>1. Retain areas of open land and water meadows which contribute to the setting of the Conservation Area, including the countryside gap which separates Upper Clatford and Goodworth Clatford; and</p> <p>2. Retain the historic plan form of development and avoid the sub-division of plots; and</p> <p>3. Retain a strong building frontage or boundary treatment to the back of the pavement</p>	<p>Policy UC7 is in general conformity with strategic policy E9 <i>Heritage</i>.</p> <p>It adds local detail in respect of the Upper Clatford Conservation Area, drawing on the Character Appraisal, and on non-designated heritage assets.</p>



NDP policy	Local Plan strategic policies
<p>along the Village Street; and</p> <ol style="list-style-type: none"> <li>4. Avoid inappropriate infill development and materials which do not respect the character of historic buildings or the street scene; and</li> <li>5. Ensure that proposals involving outbuildings are, or will remain, subservient to the main building in terms of function, scale, height and massing. The addition of rooms above the ground floor of such outbuildings will be resisted; and</li> <li>6. Protect the views identified in the Character Appraisal and which are listed at Table 2 and shown on Plan 5; and</li> <li>7. Provide an archaeological assessment to an agreed specification where the proposed works will include ground disturbance within the identified Areas of Archaeological Potential.</li> </ol> <p>Non-designated heritage assets are identified in Table 3. The effects of development proposals on their significance will be taken into account in accord with Local Plan and national planning policy.</p>	
<p><b>Policy UC8 Landscape character</b></p> <p>Development proposals will be supported where it can be shown that:</p> <ol style="list-style-type: none"> <li>1. Landscape character will be protected, conserved and where possible enhanced when assessed against relevant guidelines in the Test Valley Landscape Character Assessment; and</li> <li>2. The following important local landscape features will be conserved and where possible enhanced: <ul style="list-style-type: none"> <li>• River Valley Floors of the Pillhill Brook and Lower River Anton</li> <li>• water meadows and river valley floor enclosures</li> <li>• watercress beds</li> <li>• Upper Clatford and Anna Valley: Chalk River Valley settlements</li> <li>• Bury Hill Fort</li> <li>• Anna Valley Chalk Pit</li> <li>• Red Rice estate woodpasture, parkland and woodland</li> <li>• Upper Oakcuts Copse; and</li> </ul> </li> <li>3. To conserve the following important local landscape elements, with every opportunity taken to restore and where possible enhance and make new provision:</li> </ol>	<p>Policy UC8 is in general conformity with strategic policy E2 <i>Protect, Conserve and Enhance the Landscape Character of the Borough</i>.</p> <p>Informed by the Landscape Character Assessment, it adds local detail on landscape types and features in the Neighbourhood Area.</p>

NDP policy	Local Plan strategic policies
<ul style="list-style-type: none"> <li>• hedgerows</li> <li>• trees and woodland</li> <li>• traditional orchard.</li> </ul>	
<p><b>Policy UC9 Landscape and settlement views</b></p> <p>Development proposals in the Upper Clatford Neighbourhood Area should not block, or materially intrude into or detract from, important public views comprising:</p> <ol style="list-style-type: none"> <li>1. Landscape views of the countryside (Plan 7 and Table 4); and</li> <li>2. Settlement views of the approaches to the villages and along the valley floor (Plan 8 and Table 5).</li> </ol>	<p>Policy UC9 is in general conformity with strategic policy E2 <i>Protect, Conserve and Enhance the Landscape Character of the Borough</i>.</p> <p>It adds local detail by identifying important public views of the landscape and settlements in the Neighbourhood Area.</p>
<p><b>Policy UC10 Andover – Anna Valley/Upper Clatford Local Gap</b></p> <p>Component areas of the Anna Valley/Upper Clatford Local Gap are identified on the basis of their contribution to the physical and visual separation between Andover and Anna Valley/Upper Clatford (Plan 9). Development proposals will only be supported when they do not compromise the contribution of the relevant component area(s) to physical separation, visual separation or to the integrity of the Gap, as this contribution is described in Table 6.</p> <p>Maintaining the physical separation, visual separation and integrity of the Local Gap is of importance when considering:</p> <ol style="list-style-type: none"> <li>1. Proposals for the extension of existing dwellings or the creation and extension of ancillary domestic buildings under Local Plan policy COM11; and</li> <li>2. Proposals which fall within both the Local Gap and the Anna Valley/Upper Clatford settlement boundary (Local Plan policy COM2); and</li> <li>3. Proposals for employment sites in the countryside under Local Plan policy LE17.</li> </ol> <p>In all cases, regard will be had to building scale, footprint, massing, height, design and to the suitability of the proposed use to the rural landscape of the Local Gap. Any intensification likely to arise when compared to the current use will be taken into account.</p> <p>This policy is in addition to the provisions of Local Plan policy E3.</p>	<p>Policy UC10 is in general conformity with strategic policy E3 <i>Local Gaps</i>.</p> <p>It adds local detail by providing further information on the role and significance of component parcels of land in the Anna Valley/Upper Clatford Local Gap.</p>

NDP policy	Local Plan strategic policies
<p><b>Policy UC11 Local Green Spaces</b></p> <p>The following sites as shown on Plan 10 are designated as Local Green Spaces:</p> <p>LGS1: copse at Anna Valley  LGS2: former watercress beds west of Balksbury Hill  LGS3: former watercress beds east of Balksbury Hill  LGS4: flood plain and meadow, Upper Clatford  Parish-owned or maintained open spaces comprising:  LGS5A: Anna Valley amenity open spaces  LGS5B: Anna Valley playing field  LGS5C: Anna Valley chalk pit  LGS5D: Anna Valley play area  LGS5E: Balksbury Bridge playing field  LGS5F: Village Green  LGS5G: Sports Field</p> <p>Development that would result in the loss or partial loss of these Local Green Spaces will not be supported unless very special circumstances arise which outweigh the need for protection.</p>	<p>Policy UC11 is in general conformity with strategic policies E2 <i>Protect, Conserve and Enhance the Landscape Character of the Borough</i>, E6 <i>Green Infrastructure</i> and LHW1 <i>Public Open Space</i>.</p> <p>It adds local detail by identifying Local Green Spaces and the exceptional circumstances where development could be permitted.</p>
<p><b>Policy UC12 Sites of Importance for Nature Conservation</b></p> <p>Sites of Importance for Nature Conservation in or adjacent to the Upper Clatford Neighbourhood Area will be protected in accordance with Test Valley Local Plan policy E5, particularly taking account of their role in the Pillhill Brook and River Anton corridors as part of a wider network of other designated sites and priority habitats.</p> <p>Sites of Importance for Nature Conservation which have been formally proposed or are otherwise under consideration will be given an equivalent status to designated Sites, in accordance with the precautionary principle.</p>	<p>Policy UC12 is in general conformity with strategic policy E5 <i>Biodiversity</i>.</p> <p>It adds local detail on Sites of Importance for Nature Conservation, taking account of their role as part of the wider network of designated and priority habitats.</p>

## 6. EU OBLIGATIONS

6.1 The Upper Clatford NDP is compatible with European Union obligations as detailed in Table 4 and as transposed into UK law.

**Table 4: EU obligations**

EU Obligation	Compatibility of the Upper Clatford NDP
<p>Strategic Environmental Assessment Directive</p> <p>Habitats Directive</p>	<p>In July 2019 Upper Clatford Parish Council requested Test Valley Borough Council as the responsible authority to determine whether or not a Strategic Environmental Assessment (SEA) and/or a Habitats Regulations Assessment (HRA) were required for the NDP. A Briefing note was provided to the Borough Council in support of this request. Natural England, Historic England and the Environment Agency were consulted in accordance with the regulations.</p> <p>The Borough Council decided on 23 October 2019 that:</p> <ul style="list-style-type: none"> <li>• SEA: the NDP would not be likely to have significant environmental effects and that SEA would not be required;</li> <li>• HRA: that the proposed NDP is not likely to have a significant effect on European designations.</li> </ul> <p>A statement has been prepared by the Borough Council setting out its reasons for the determination, in accordance with the regulations. This statement (excluding Annexes) is at Appendix 1. The full Statement with Annexes which include the Briefing Note provided to the Borough Council by the Parish Council may be seen at <a href="https://www.testvalley.gov.uk/planning-and-building/planningpolicy/neighbourhood-planning/upper-clatford-neighbourhood-plan">https://www.testvalley.gov.uk/planning-and-building/planningpolicy/neighbourhood-planning/upper-clatford-neighbourhood-plan</a>. The requirements of the SEA and Habitats Directives are considered to have been met.</p>
<p>Water Framework Directive</p>	<p>Adopted Local Plan policy E7 requires that development proposals do not result in the deterioration of, and where possible assist in improving water quality and be planned to support the attainment of the requirements of the Water Framework Directive. The NDP does not have any specific policy on water quality. However, it will support the attainment of relevant environmental objectives, including policies which together will serve to protect the corridors of the Pillhill Brook and River Anton for their contribution to landscape character, historic interest, biodiversity and flood storage. The NDP is considered to be compatible with the Water Framework Directive.</p>
<p>European Convention on Human Rights</p>	<p>The NDP is fully compatible with the European Convention on Human Rights, transposed into UK law by the Human Rights Act 1998. It has been prepared within the existing framework of statute, national planning policy and guidance, and Borough-level strategic planning policies. In accordance with established process, its preparation has included consultation with the local community and it is subject to independent examination. The policies within the Plan are considered to comply with the requirements of EU obligations in relation to Human Rights.</p>

## APPENDIX 1: SCREENING OPINION STATEMENT

- A1.1 The following Screening Opinion statement has been prepared by Test Valley Borough Council to determine whether a Strategic Environmental Assessment and a Habitats Regulations Assessment are required for the proposed Upper Clatford NDP.
- A1.2 The full Statement including Annexes may be seen at <https://www.testvalley.gov.uk/planning-and-building/planningpolicy/neighbourhood-planning/upper-clatford-neighbourhood-plan>.



### Upper Clatford Neighbourhood Plan

#### Request for Screening Opinion for Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA)

##### Introduction

This statement has been prepared by Test Valley Borough Council (as responsible authority) to determine whether or not a Strategic Environmental Assessment (SEA) and/or a Habitats Regulations Assessment are required for the draft Upper Clatford Neighbourhood Plan following the submission of a screening opinion.

The Regulations advise that where the responsible authority determines that the plan is unlikely to have significant environmental effects (and, accordingly, does not require an environmental assessment), it shall prepare a statement of its reasons for the determination. This statement fulfils that requirement.

##### Context

The preparation of a Neighbourhood Plan involves a series of stages as required by legislation before it can be 'made'. To be 'made', a Neighbourhood Plan must meet certain Basic Conditions. These include that the making of the plan "*does not breach, and is otherwise compatible with, EU obligations*".

One of these obligations is Directive 2001/42/EC 'on the assessment of the effects of certain plans and programmes on the environment'. This is often referred to as the strategic environmental assessment (or SEA) Directive. The SEA Directive seeks "*to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes.*" The SEA Directive is transposed into UK law through the Environmental Assessment of Plans and Programmes Regulations 2004 (the 'SEA Regulations') and it is these Regulations that the neighbourhood plan will need to be compatible with.

Another key obligation is Directive 92/43/EEC 'on the conservation of natural habitats and of wild fauna and flora', often referred to as the Habitats Directive. This has been translated into UK law via The Conservation of Habitats and Species Regulations 2017. Under the 'Habitats Regulations' an assessment referred to as an Appropriate Assessment must be undertaken if a Neighbourhood Plan is likely to have a significant effect on a European protected wildlife site.

Under both the SEA and Habitats Regulations it is the Council's role to advise whether further work is required once the first stage, a screening assessment, has been undertaken by the Parish Council on its Neighbourhood Plan.

##### Process

A screening report has been produced on behalf of Upper Clatford Parish Council (Annex A). This was submitted to the Council on the 18<sup>th</sup> July 2019. The report concluded that a full SEA would not be required. In accordance with the regulations, Natural England, Historic England and the Environment Agency were consulted on the findings of the screening report. The consultation started on the 2<sup>nd</sup> August for a five week period ending on 9<sup>th</sup> September. A summary of the responses received and the Council's response is outlined in Table A. Copies of the response from Natural England are included at Annex B.

**Table A: Summary of Responses**

Consultation body (date of response)	Consultation response (summary)	Test Valley BC response
Environment Agency  No response received	<i>No response received</i>	N/A
Natural England  11 <sup>th</sup> December	Thank you for submitting a screening request for the Upper Clatford Neighbourhood Plan SEA and HRA. Based on the location of the neighbourhood and the information submitted in support of the screening request, notably that the plan will not be allocating sites for development, <u>Natural England do not consider that a SEA is required.</u> Based on this same information we concur with the conclusion that an <u>appropriate assessment would not be required.</u>	Response noted
Historic England  No response received	No response received	N/A

### Conclusion

Having regard to the letter and associated briefing note that the Parish Council provided (Annex A), the consultation responses from Natural England, indicated that having regard to the matters within their remit, the proposed Neighbourhood Plan would not be likely to have significant environmental effects.

The Council has had due regard to the statutory consultee responses and the criteria within Schedule 1 of the SEA Regulations in coming to a view on whether the proposed Neighbourhood Plan is likely to have significant environmental effects. Based on the summary of the proposed Neighbourhood Plan (as provided within the Briefing Note), it is the Council's opinion that the Plan would not be likely to have significant environmental effects. On this basis, a Strategic Environmental Assessment would not be required for the proposed Upper Clatford Neighbourhood Plan.

With regards to the Habitats Regulations and whether an Appropriate Assessment is required, the Council concludes that the proposed Neighbourhood Plan is not likely to have a significant effect on European designations. This is supported by the response from Natural England.

A response was sent to the Parish Council on the 23 October (see Annex C).