



Over Wallop Neighbourhood Development Plan

Basic Conditions Statement

Submission Draft

Evidence Base Document (number 13)

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1 Introduction

The Basic Conditions Statement is one element of the document set needed for formal submission and examination. The following documents will make up the complete Over Wallop NDP submission.

- The Over Wallop Neighbourhood Development Plan 2011-2035 including Appendices;
- A map of the Designated neighbourhood Plan Area;
- This Basic Conditions Statement
- A Consultation Statement detailing the extensive consultation with residents and other local stakeholders and statutory bodies throughout the development process;
- A Screening Statement dated x 2022 on the determination of the need for a Strategic Environmental Assessment (SEA) carried out by Test Valley Borough Council.
- An evidence base comprising the evidence base documents identified in the NDP including:
 - EB1 NDP 1st Survey Results May 2021 Results.
 - EB2 NDP Detailed Survey Summary Results
 - EB3 OW NDP Local Green Space Evidence Base
 - EB4 OW NDP Important Views Evidence Base
 - EB5 OWP NDP Business Survey Results.
 - EB6 Policy Evidence Base Matrix
 - EB7 OW NDP Parish Character Appraisal
 - EB8 Parish Roads Strategy
 - EB9 NDP Parish Wildlife and Biodiversity Report
 - EB10 Over Wallop Parish Profile 2020
 - EB11 Communication and Engagement Plan
 - EB12 NDP Consultation Statement
 - EB13 Basic Conditions Statement

For additional information please see <https://owparishndp.uk/>

2 Legal Requirements

The legal requirements of Neighbourhood Plans, and the related procedural obligations, are set out in the Town & Country Planning Act 1990 (as amended), The Planning and Compulsory

Purchase Act 2004 (as amended) and the Neighbourhood Planning (General) Regulations 2012 (as amended).

As part of the process of writing this Neighbourhood Plan the Steering Group has had regard to the various legal requirements contained in the key legislation. The following paragraphs of this statement describe those requirements and the compliance assessment.

Is Over Wallop Parish Council a 'Qualifying Body' authorised to act in relation to the Neighbourhood Area?

This requirement is described in Sections 61E(1) / 61E(6) and 61F (1) of the Town & Country Planning Act 1990 (as amended).

Over Wallop Parish Council is a Qualifying Body and is therefore authorised to act in relation to the production of a Neighbourhood Plan covering the Neighbourhood Area.

Has the Neighbourhood Area been designated by Test Valley District Council?

This requirement is described in Section 61G(1) of the Town & Country Planning Act 1990 (as amended).

The Over Wallop Neighbourhood Area application was submitted on 10th February 2021 and on 4th March 2021 the Test Valley Borough Council Head of Planning designated the area, which covers the whole of the parish. It should be noted however that the Ministry of Defence owned land at Kentsboro and at Porton Down are not covered by the Plan.

Does the designation follow an application for designation by the 'Relevant Body' (ie Over Wallop Parish Council)?

This requirement is described in Section 61G(1a) of the Town & Country Planning Act 1990 (as amended).

The Over Wallop Neighbourhood Area application was submitted by the Over Wallop Parish Council who are the 'Relevant Body' for the purposes of Section 61G(1a).

The designated Neighbourhood Area is indicated below in Figure 1:

Do the Over Wallop Neighbourhood Plan and Basic Conditions Statement specify the period for which the Plan is to have effect?

This requirement is described in Section 38B (1a) of the Planning and Compulsory Purchase Act 2004 (as amended).

Both the Neighbourhood Plan and the Basic Conditions Statement specify the period over which the Plan is to have effect, namely the period 2011-2029.

Does the Over Wallop Neighbourhood Plan include provisions about development that is 'Excluded Development'?

This requirement is described in Section 38B(1b) of the Planning and Compulsory Purchase Act 2004 (as amended). 'Excluded Development' is defined in Section 61k of the Town & Country Planning Act 1990 (as amended) as development that consists of a country matter (ie minerals and waste matters); or the carrying out of prescribed operations / development / development in prescribed area; development within Annex 1 to Council Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment; or nationally significant infrastructure projects.

The Neighbourhood Plan does not contain provisions about development that is 'Excluded Development'.

Does the Over Wallop Plan relate to more than one neighbourhood area?

This requirement is described in Section 38B(1c) of the Planning and Compulsory Purchase Act 2004 (as amended).

As noted above, the Neighbourhood Plan covers the entire area within the parish boundary.

Are there any other Neighbourhood Plans in place for the Over Wallop Neighbourhood area?

This requirement is described in Section 38B(2) of the Planning and Compulsory Act 2004 (as amended).

There are no other 'made' Neighbourhood Plans that cover an area that is located within the Over Wallop parish boundary and the Neighbourhood Plan Area.

Does the Over Wallop Neighbourhood Plan contain policies that relate to the development and use of land?

The Over Wallop Neighbourhood Plan contains policies which relate to the development or use of land and are therefore appropriate for inclusion within a Neighbourhood Plan.

Does the Over Wallop Neighbourhood Plan meet the 'Basic Conditions'?

The requirement to meet 'Basic Conditions' is set out in Schedule 4b(8(1a)) to the Town & Country Planning Act 1990 (as amended), with the basic conditions themselves being set out in Schedule 4b(8(2a-g)).

The rest of this Statement is devoted to assessing the degree to which the submission Neighbourhood Plan meets the basic conditions set out in Schedule 4b.

For the sake of completeness, the basic conditions that are relevant to Neighbourhood Plans such as this are as follows:

(a) having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood plan

(b) the making of the neighbourhood plan contributes to the achievement of sustainable development

(c) the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (in this case Test Valley Borough Council)

(d) the making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations as incorporated into UK law

(e) the making of the neighbourhood plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017, which set out the habitat regulation assessment process for land use plans, including consideration of the effect on habitats sites (this is a 'Prescribed Condition')

Basic Conditions (d) and (e) are addressed together in Section 6 of this Statement.

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Basic Conditions (d) and (e) are addressed together in Section 6 of this Statement.

Schedule 4b (8(6)) also indicates that it is necessary to consider whether the neighbourhood plan is "compatible with the Convention rights". The interpretation section (s.17) in Schedule 4b confirms that "the Convention rights" have the same meaning as in the Human Rights Act 1998. This will be considered in Section 6 of this Statement.

3 CONFORMITY WITH NATIONAL POLICY / ADVICE

The Over Wallop Neighbourhood Plan has been prepared with regard to national policies as set out in the National Planning Policy Framework (NPPF) dated July 2021. The Neighbourhood Plan has also had regard to the guidance set out on the National Planning Practice Guidance (NPPG) website, published by the Government in 2014 and updated on a rolling basis.

The Parish Council believes that the Neighbourhood Plan plans positively for future development in the Parish and that it is consistent with the provisions of the adopted Test Valley Borough Revised Local Plan DPD 2011 - 2029.

Set out in Table 1 overleaf, is a brief summary of how each policy conforms to the NPPF and NPPG. 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.

NP Policy Number and Title	NPPF / NPPG paragraph	Comment on Conformity
ALL POLICIES	<p><i>NPPF Paragraphs 8 (sustainable development), 12-14, 18, 21, 29-30, 37, 50, 101, 127, 140 and 156 (neighbourhood planning).</i></p> <p><i>NPPG Paragraphs 41-001-20190509-41-107-20200925 (neighbourhood planning)</i></p>	<p>The neighbourhood plan has been drafted having regard to the extensive policy and guidance contained in the Government's NPPF and NPPG resources. The policy and guidance has fundamentally informed and shaped the policies in this neighbourhood plan as a result.</p>
Policy EL P1 Conservation Areas	<p><i>NPPF Paragraphs 8 (sustainable development), 99 (open space and recreation), 126-135 (design) and 189-198 (conserving and enhancing the historic environment).</i></p> <p><i>NPPG Paragraphs 18a-001-20190723 to 18a-021-20190723 (historic environment), 26-004-20191001 (design).</i></p>	<p>This policy reflects national policy on conserving and enhancing the historic environment including its heritage asset and preserving the existing green infrastructure in the NPPF.</p> <p>This policy also draws upon Neighbourhood Plan evidence in the Character Appraisal & Design Code and from the survey question responses that were received from the local community, which results in a policy that is consistent with national policy on preserving heritage assets.</p>
Policy EL P2 Listed Buildings and Locally Important Buildings	<p><i>NPPF Paragraphs 8 (sustainable development), 126-135 (design) and 194-208 (conserving and enhancing the historic environment).</i></p> <p><i>NPPG Paragraphs 18a-022-20190723 to 18a-041-20190723 (historic environment), 26-004-20191001 (design).</i></p>	<p>This policy is consistent with national policy that focuses on preserving existing designated and non-designated heritage assets and supporting high quality design as set out in the NPPF.</p> <p>This policy also refers to evidence of the Neighbourhood Plan, such as the Character Appraisal & Design Code and from the survey question responses that were received from the local community. This ensures that this policy reflects the relevant paragraphs of the NPPF and the associated guidance in the NPPG.</p>
Policy EL P3 Archaeology and Scheduled Ancient Monuments	<p><i>NPPF Paragraphs 8 (sustainable development) 192, 194, 200, 211 (conserving and enhancing the historic environment).</i></p> <p><i>NPPG Paragraphs 18a-022-20190723 to 18a-038-20190723 (historic environment).</i></p>	<p>This policy provides clear guidance about preserving / enhancing significant designated assets.</p> <p>The survey responses received from the local community were also utilised to ensure that this policy is in conformity with the relevant paragraphs of the NPPF and the associated guidance in the NPPG.</p>
Policy EL P4 Important Views	<p><i>NPPF paragraphs 8 (sustainable development), 126-135 (design) and 185(c) (dark landscapes).</i></p> <p><i>NPPG Paragraphs 26-001-20191001 to 26-023-20191001 (design), 8-036-20190721 to 8-042-20191101 (light pollution).</i></p>	<p>This policy draws on the evidence contained in Appendix C to identify and manage the impact of development on the important views that are listed, in a way that is consistent with the requirements at NPPF at paragraphs 126-135 (design) by ensuring that the design of development reflects the special qualities of the area.</p>

NP Policy Number and Title	NPPF / NPPG paragraph	Comment on Conformity
Policy EL P5 Public Rights of Way	<p><i>NPPF Paragraphs 8 (sustainable development), 55, 57-58 (planning obligations), 92, 100 (healthy communities), 104-106 and 110-112 (transport), 130 (design).</i></p> <p><i>NPPG paragraphs 37-004-20140306 (rights of way) and 23b-001-20190315 to 23b-038-20190901 (planning obligations).</i></p>	This policy seeks to preserve and enhance existing Public Rights of Way and support the creation of new ones, which is in conformity with paragraph 100 of the NPPF.
Policy EL P6 Trees and hedgerows	<p><i>NPPF Paragraphs 8 (sustainable development), 119-120 (making effective use of land), 126-135 (design), 153 and Section 14 generally (climate change - flood risk) and 20, 92, 154, 174-182, 186 (biodiversity / net gain / green infrastructure).</i></p> <p><i>NPPG Paragraphs 26-001-20191001 to 26-023-20191001 (design), 8-036-20190721 to 8-042-20190721 (landscape), 7-001-20140306 to 6-012-20190315 (climate change) and 8-004-20190721 to 8-035-20190721 (biodiversity / Net Gain and green infrastructure).</i></p>	Trees are a significant features in the landscape throughout the Plan area. The safeguarding of existing trees is central to the policy objectives in paragraphs 174 and 180 of the NPPF. Encouragement of replacement planting (as part of the achievement of net gains) is central to NPPF policy at paragraphs 174, 179 and 180 in particular as well as elsewhere throughout the NPPF in relation to the protection and enhancement of Green Infrastructure.
Policy EL P7 Settlement Character and Coalescence	<p><i>NPPF Paragraphs 8 (sustainable development), 68-70 (delivering housing), 77-79 (rural housing), 119-121 (making effective use of land), 124-125 (density), 126-135 (design), 174 (natural environment), 130 and 185 (amenity).</i></p> <p><i>NPPG Paragraphs 67-009-20190722 to 67-010-20190722 (rural housing), 26-001-20191001 to 26-023-20191001 (design), 8-036-20190721 to 8-042-20190721 (landscape), 66-004-20190722 to 66-005-20190722 (density), 66-006-20190722 to 66-007-20190722 (amenity).</i></p>	<p>This policy draws on comprehensive landscape and village character evidence from the Character Appraisal and Design Code of the Neighbourhood Plan and in particular landscape findings to identify the areas where the villages are vulnerable to coalescence and where it will be important to maintain their separate physical and visual identities.</p> <p>In addition, it also seeks to build upon the policies of the development plan in maintaining the special character of the settlements in the Plan area and their associated spatial arrangement.</p> <p>This policy is consistent with national planning policy and guidance on landscape, infill housing development in rural areas, rural housing development and those aspects that deal with amenity, design and landscape quality.</p>
Policy EL P8 Local Green Spaces	<p><i>NPPF Paragraphs 8 (sustainable development), 20, 92, 154, 175, 186 (green infrastructure) and 98-103 (open space and recreation)</i></p> <p><i>NPPG Paragraphs 8-036-20190721 to 8-042-20190721 (landscape) and 8-004-20190721 to 8-035-20190721 (biodiversity / Net Gain and green infrastructure).</i></p>	This policy draws on the evidence provided in Appendix 4 of the Neighbourhood Plan and seeks to conserve existing green infrastructure that define the unique character of the NP Area. This policy complies with the requirements set out in the relevant paragraphs of the NPPF and the associated guidance in the NPPG.

NP Policy Number and Title	NPPF / NPPG paragraph	Comment on Conformity
Policy EL P9 Biodiversity	<p><i>NPPF Paragraphs 8 (sustainable development), 174 (landscape) and 20, 92, 154, 174-182, 186 (biodiversity / Net Gain / green infrastructure).</i></p> <p><i>NPPG Paragraphs 8-036-20190721 to 8-042-20190721 (landscape) and 8-004-20190721 to 8-035-20190721 (biodiversity / Net Gain / green infrastructure)</i></p>	<p>Policy EL P9 builds on the expectation that emerging legislation will confirm the requirement for a minimum percentage of biodiversity net gain. The requirement to demonstrate how a net gain can be achieved is already enshrined in the NERC Act 2006 and the NPPF (Section 15).</p> <p>Opportunities to incorporate biodiversity improvements in and around developments will be encouraged, especially where this can secure measurable net gains for biodiversity and therefore the policy is considered to be in accordance with the requirements of the NPPF.</p>
Policy EL P10 Water Courses	<p><i>NPPF Paragraphs 8 (sustainable development), 126-135 (design), 153-168 (flood risk), 130, 185 (amenity), 185(c) (dark landscapes) and 174, 179-182 (biodiversity / Net Gain / green infrastructure).</i></p> <p><i>NPPG Paragraphs 26-001-20191001 to 26-023-20191001 (design), 7-001-20140306 to 7-068-20140306 (flood risk), 8-036-20190721 to 8-042-20190721 (landscape), 6-001-20140306 to 6-012-20190315 (climate change), 66-004-20190722 to 66-005-20190722 (density), 31-001-20191101 to 31-007-20191101 (light pollution), 66-006-20190722 to 66-007-20190722 (amenity / daylight), 18a-063-20190723 and 8-004-20190721 to 8-035-20190721 (biodiversity / Net Gain and green infrastructure)</i></p>	<p>This policy reflects and builds upon a range of issues that are addressed in the NPPF including design (section 12), landscape and biodiversity (section 15) and flood risk (section 14).</p> <p>The approach in this policy reflects the unique role that Wallop Brook which leads into the River Test and into the Solent beyond plays in the NP Area and the value it represents in both ecological terms and to the local community and visitors. The competing interests are set out in detail in the Policy and the approach that will be taken to managing development alongside Wallop Brook is also set out.</p>
Policy EL P11 Dark Night Skies	<p><i>NPPF Paragraphs 8 (sustainable development), 126-135 (design), 185(c) (dark landscapes) and 130 and 185 (amenity).</i></p> <p><i>NPPG Paragraphs 26-001-20191001 to 26-023-20191001 (design), 8-036-20190721 to 8-042-20190721 (landscape), 66-004-20190722 to 66-005-20190722 (density), 66-006-20190722 to 66-007-20190722 (amenity).</i></p>	<p>By encouraging good design which minimises light pollution within the NP Area in order to maintain its rural character. This is consistent with the NPPF approach to limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation (NPPF paragraph 185(c)), as well as recognising the need for quality design, protecting and enhancing the landscape in the Plan area and recognising the intrinsic character and beauty of the countryside (paragraphs 8, 126-135, 174).</p>
Policy EL P12 Air and Noise, Pollution	<p><i>NPPF Paragraphs 8 (sustainable development), 112 (transport) 174(natural environment) and 185-186(pollution).</i></p> <p><i>NPPG Paragraphs 30-001-20190722 to 30-017-20190722(noise), 32-001-20191101 to 32-008-20191101(air quality), 53-004-20190722 (healthy communities), 66-006-20190722 to 66-007-20190722 (amenity).</i></p>	<p>This policy is consistent with paragraphs 174 and 185-186 of the NPPF, as it seeks to deal with the level of pollution that will be generated from future development in the NP Area. There are numerous locally specific concerns in the area, which are not addressed in Local Plan policy</p> <p>It is also in conformity with paragraphs 112 of the NPPF and associated guidance in the NPPG because it sets out in detail the mitigation measures that will be requested to ensure the creation of safe, secure and attractive places.</p>

NP Policy Number and Title	NPPF / NPPG paragraph	Comment on Conformity
Policy EL P13 Water Pollution	<p><i>NPPF Paragraphs 8 (sustainable development), 153 (climate change) 174(natural environment) and 185-186(pollution).</i></p> <p><i>NPPG Paragraphs 53-004-20190722 (healthy communities), 66-006-20190722 to 66-007-20190722 (amenity).</i></p>	<p>This policy is consistent with paragraphs 174 and 185-186 of the NPPF, as it seeks to prevent new and existing development from contributing to unacceptable levels of water pollution.</p> <p>It is also on conformity with paragraphs 153 of the NPPF and associated guidance in the NPPG because it sets out in detail the mitigation measures that will be requested to ensure the reduction of nitrogen pollution.</p>
Policy DD P1 New Housing Development	<p><i>NPPF Paragraphs 8 (sustainable development), 60-72 (housing mix and affordability), 78-80 (rural housing), 119-121 (making effective use of land), 124-125 (density), 126-135 (design), 130 and footnote 49 (space standards)</i></p> <p><i>NPPG Paragraphs 67-001-20190722 to 67-015-20210524 (housing need and affordability), 2a-017-20190220 to 2a-024-20190220 (affordable housing need), 63-001-20190626 to 63-019-20190626 (housing for older and disabled people), 56-001-20150327 to 56-023-20160519 (technical standards), 26-001-20191001 to 26-023-20191001 (design), 66-004-20190722 to 66-005-20190722 (density).</i></p>	<p>This policy draws upon policy in the NPPF (paragraph 79 in particular) as well as Neighbourhood Plan evidence in Character Appraisal and Design and Design Code to develop a policy approach that is consistent with national planning policy and guidance on rural housing developments.</p> <p>The NPPF contains detailed guidance on meeting the accommodation needs of communities through the provision of certain forms of housing development where the need is supported by good evidence. Section 5 of the NPPF and the associated NPPG guidance provide a great deal of detail in this regard and Policy DD P1 seeks to capture this approach by asking developers to demonstrate how their proposals meet the specific needs of the villages in the Plan area.</p>
Policy DD P2 Affordable and Community-led Housing Provision	<p><i>NPPF paragraphs 8 (sustainable development), 60-72 (housing mix and affordability), 78-80 (rural housing), 110 (transport), 119-121 (making effective use of land), 124-125 (density), 126-135 (design), 130 and footnote 49 (space standards)</i></p> <p><i>NPPG Paragraphs 54-003-20141010 to 54-007-20141010 (transport), 67-001-20190722 to 67-015-20210524 (housing need and affordability), 2a-017-20190220 to 2a-024-20190220 (affordable housing need), 63-001-20190626 to 63-019-20190626 (housing for older and disabled people), 56-001-20150327 to 56-023-20160519 (technical standards), 26-001-20191001 to 26-023-20191001 (design), 66-004-20190722 to 66-005-20190722 (density).</i></p>	<p>This policy refers to the documents that form part of the evidence base for the NP (Character Appraisal and Evidence Base Document 7 and 8) and seeks to support affordable housing development that reflects the relevant paragraphs of the NPPF and the associated guidance in the NPPG.</p> <p>Policy DD P2 also provides details on the highway mitigation measurements which developers will need to provide in order to ensure that there is no unacceptable impact on the capacity of the transport network.</p>
Policy DD P3 Design Principles	<p><i>NPPF Paragraphs 8 (sustainable development), 119-121 (making effective use of land), 124-125 (density), 126-135 (design), 152-157 (climate change), 174 (landscape), 130, 185 (amenity), 185(c) (dark landscapes), 189-208 (heritage) and 179-182 (biodiversity / Net Gain / green infrastructure).</i></p> <p><i>NPPG Paragraphs 26-001-20191001 to 26-023-20191001 (design), 8-036-20190721 to 8-042-20190721 (landscape), 6-001-20140306 to 66-004-20190722 to 66-005-20190722 (density), 31-001-20191101 to 31-007-20191101 (light pollution), 66-006-20190722 to 66-007-20190722 (amenity / daylight), 18a-001-20190723 to</i></p>	<p>This policy draws mainly from the Character Appraisal and Design Code that forms part of the base evidence documents of the NP. It sets out the main requirements that developers need to meet in order to demonstrate a development relates to the character of the specific local area.</p> <p>Many of the policies in the NPPF are relevant to the quality and form of developments. However section 12 in particular supports a Neighbourhood Plan-led approach, indicating that "Neighbourhood planning groups can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development, both</p>

NP Policy Number and Title	NPPF / NPPG paragraph	Comment on Conformity
	<i>18a-063-20190723 and 18a-039-2019-0723 to 18a-041-20190723 (heritage) and 8-004-20190721 to 8-035-20190721 (biodiversity / Net Gain and green infrastructure).</i>	<p>through their own plans and by engaging in the production of design policy, guidance and codes by local planning authorities and developers.”</p> <p>This policy will ensure that developments directly draw upon the guidance on local distinctiveness in the Plan's appendices. Therefore, it will accord the NPPF and paragraphs 126-130 in particular.</p>
Policy DD P4 Flood Management	<p><i>NPPF Paragraphs 8 (sustainable development) and 153-168 (flood risk)</i></p> <p><i>NPPG Paragraphs 7-001-20140306 to 7-068-20140306 (flood risk) and 6-001-20140306 to 6-012-20190315 (climate change).</i></p>	<p>This policy seeks to minimise flood risk and support sustainable solutions for greywater recycling and discharge of surface and foul water. This relates to locally specific diagrams/ plans of fluvial and surface water flooding in the Plan Area.</p> <p>This is entirely consistent with paragraphs 153 - 168 of the NPPF.</p>
Policy IC P1 Highways - Sustainable Travel	<p><i>NPPF Paragraphs 8 (sustainable development), 104, 110-112 (traffic / highways) and 126-135 (design)</i></p> <p><i>NPPG Paragraphs 42-013-20140306 to 42-015-20140306 (transport) and 26-001-20191001 to 26-023-20191001 (design).</i></p>	<p>This policy reflects the relevant national policy objectives that are set out in paragraphs 104-112 of the NPPF and provides detailed description of the type of mitigation measures that will be sought from developers in order to ensure safe access and travel and that development will not have an unacceptable harm to the road network (as set out in Evidence Base Document 8).</p>
Policy IC P2 Highways and Traffic	<p><i>NPPF Paragraphs 8 (sustainable development), 104, 110-112 (traffic / highways) and 126-135 (design)</i></p> <p><i>NPPG Paragraphs 42-013-20140306 to 42-015-20140306 (transport) and 26-001-20191001 to 26-023-20191001 (design).</i></p>	<p>The criteria contained in this policy echo the national policy objectives for road safety at paragraphs 104-112 of the NPPF, whilst also referencing good practice in designing for rural locations. The policy accords with national planning policy and guidance in this regard. It specifically identifies roads and junctions where there are particular highway safety concerns and a high number of road traffic incidents to evidence the need for the policy.</p>
Policy IC P3 Quiet Lanes	<p><i>NPPF Paragraphs 8 (sustainable development), 104, 110-112 (traffic / highways) and 126-135 (design)</i></p> <p><i>NPPG Paragraphs 42-013-20140306 to 42-015-20140306 (transport), 26-001-20191001 to 26-023-20191001 (design) 53-004-20190722 (healthy communities) and 66-006-20190722 to 66-007-20190722 (amenity).</i></p>	<p>This policy draws mainly from section 8 and 9 of the NPPF and sets out detailed guidance which aims to improve and maintain the quality of life for local residents and ease traffic movements in the NP Plan Area.</p>
Policy IC P4 Community Infrastructure and Services	<p><i>NPPF Paragraphs 8 (sustainable development), 55, 57-58 (planning obligations), 58, 123 (viability), 81-85 (the economy), 92-93, 95 (healthy / safe communities), 98-99 (open space / recreation), 187 (pollution)</i></p> <p><i>NPPG Paragraphs 37-003-20140306 (open space and recreation), 41-045-20190509 to 41-046-20190509 (infrastructure needs), 53-00720190722 (delivering sufficient school places), 10-007-20190509 to 10-028-20180724 (viability) and 23b-001-20190315 to 23b-03820190901 (planning obligations),</i></p>	<p>This policy seeks to secure appropriate contributions from developers in order to ensure that development will not have an unacceptable impact to the existing community facilities.</p> <p>This is central to the Government's theme for supporting a prosperous rural economy and encouraging healthy communities (sections 6 and 8 of the NPPF) and it follows the policy approach for planning obligations set out in paragraphs 55, 57-58 of the NPPF.</p>

NP Policy Number and Title	NPPF / NPPG paragraph	Comment on Conformity
Policy IC P5 Renewable Energy	<p><i>NPPF Paragraphs 8 (sustainable development), 152-158 (climate change).</i></p> <p><i>NPPG Paragraphs 5-001-20140306 to 5-031-20150415 (renewable and low carbon energy) and 6-003-20140612, 6-007-20140306 and 6-012-20190315.</i></p>	This policy reflects the guidance provided in the NPPG and paragraphs 152-158 of the NPPF and sets out a list of requirements that developers will need to meet in order for new renewable energy projects to be supported.
Policy IC P6 Local Business	<p><i>NPPF Paragraphs 8 (sustainable development), 81-85 (economy), 110-113 (transport), 130, 185, 187 (amenity / pollution) and 174 (landscape)</i></p> <p><i>NPPG Paragraphs 41-045020190509 to 41-046-20190509 (infrastructure needs), 66-006-20190722 to 66-007-20190722 (amenity) and 42-001-20140306 to 42-015-20140306 (transport).</i></p>	<p>The NPPF strongly supports employment development which helps to build a strong, competitive economy (section 6) and this policy also supports a specific form of employment development.</p> <p>This policy sets out a number of criteria which reflect the points raised in paragraphs 81-85 of the NPPF and seeks to support new employment opportunities and ensure that development will not unacceptably harm the countryside.</p>
Policy IC P7 Community Facilities	<p><i>NPPF Paragraphs 8 (sustainable development), 58, 123 (viability), 81-85 (the economy), 92-93, 95 (healthy / safe communities), 98-99 (open space / recreation), 187 (pollution).</i></p> <p><i>NPPG Paragraphs 37-003-20140306 (open space / recreation), 41-045-20190509 to 41-046-20190509 (infrastructure needs); 10-007-20190509 to 10-028-20180724 (viability).</i></p>	<p>This policy seeks to protect the specified existing community infrastructure and facilities and support the reuse of community assets in the NP Area.</p> <p>This is central to the Government's theme for supporting a prosperous rural economy and encouraging healthy communities (sections 6 and 8 of the NPPF).</p>

4 Contribution to Sustainable Development

There are three over-arching objectives to sustainable development: economic, social and environmental (see NPPF paragraph 8). The three objectives are mutually dependent.

In addressing the above basic conditions, the Neighbourhood Development Plan pays particular regard to NPPF, Paragraph 9, which requires that

“Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but on doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area”.

When testing the policies set out in the NDP the following three categories have been assessed and the conclusions are summarised below.

Sustainable Development Category	Responsibility
Economic (Econ)	The Plan encourages and supports rural businesses, employment of local people and development which have a tangible benefit to community infrastructure and services. Community based renewable energy proposals are also supported.
Social (So)	The Plan’s policies recognise the social dimension seeking to preserve and enhance community facilities and promoting active and sustainable travel. Emphasis has been placed on the need to manage traffic and pedestrian safety in the rural settlements. The Plan identifies proposed Local Green Spaces and Views valued for their social benefits.
Environmental (En)	The Plan encourages development to respect the local character, landscape, biodiversity, heritage and a range of other environmental attributes of the Parish, as well as protecting the identity of individual settlements by using gap, landscape and separation policies.

The following table shows how the NDP objectives relate to the more detailed sustainability themes.

Sustainability Theme	Categ.	General sustainability Appraisal Objective	Parish Objective
1. Biodiversity	En	Protect and enhance all biodiversity and geological features and avoid irreversible losses.	EL7
2. Water resources and flood risk	En	Use and manage water resources in a sustainable manner	DD4
	En	Protect people and property from risk of flooding	DD4
3. Climatic Factors	En	Minimise our impacts on climate change and reduce our vulnerability to future climate change effects.	DD5
4. Landscape and Townscape	En	Conserve and enhance the character and quality of Over Wallop NP's rural and urban landscapes, maintaining and strengthening local distinctiveness and sense of place	EL1, EL3, EL4, EL5, DD2, PE1, PE2
5. Healthy Communities	So	Provide a safe and healthy environment in which to live.	EL4, IC1, IC2, IC3, IC4, IC7
6. Education and Skills	So	Raise educational attainment and provide opportunities for people to improve their workplace skills	IC6
7. Economy and Enterprise	Econ	Encourage a vibrant and diversified local economy and provide for long-term sustainable economic growth.	IC7, IC8
	Econ	Ensure adequate provision of employment land and diverse employment opportunities to meet the needs of local businesses and a changing workforce.	IC8
	Econ	Ensure efficient and effective use of land and the use of suitably located previously developed land and buildings.	DD3
8. Land and soil resources	En		

The degree to which policies meet key sustainable development objectives is scored using the scoring scheme shown in the following table.

Score	Commentary
++	The policy will result in a very positive effect on the sustainability objective in question
+	The policy will result in a positive effect on the sustainability objective in question
0	The policy will result in a neutral effect on the sustainability objective in question
-	The policy will result in a negative effect on the sustainability objective in question
–	The policy will result in a very negative effect on the sustainability objective in question

The following table shows how these conclusions have been reached. The Plan's policies have been assessed in terms of how they will deliver sustainable development in the economic, social and environmental aspects of sustainability and the assessment shows that the Plan's policies address all three objectives in clear and logical ways.

Policy Number, Category and Description		Achievement of Sustainable Development		
Environment and Landscape		Economic	Social	Environmental
EL P1	Conservation Areas	0	++	++
EL P2	Listed Buildings and Locally Important Heritage Assets	0	++	++
EL P3	Archaeology and Scheduled Ancient Monuments	0	++	++
EL P4	Important Views	0	++	++
EL P5	Public Rights of Way	0	++	++
EL P6	Trees and Hedgerows	0	++	++
EL P7	Settlement Character and Coalescence	0	++	++
EL P8	Local Green Spaces	0	++	++
EL P9	Biodiversity	0	++	++
EL P10	Water Courses	0	++	++
EL P11	Dark Night Skies	0	++	++
EL P12	Air and Noise Pollution	0	++	++
EL P13	Water Pollution	0	++	++
Development and Design		Economic	Social	Environmental
DD P1	New Housing Development	+	++	0
DD P2	Affordable and Community-led Housing Provision	+	++	0
DD P3 a,b,c,d	Design Principles	+	++	++
DD P4	Flood Management	0	++	++
Infrastructure and Community		Economic	Social	Environmental
IC P1	Highways - Sustainable Travel	0	++	++
IC P2	Highways and Traffic	0	++	++
IC P3	Quiet Lanes	0	++	+
IC P4	Community Infrastructure and Services	0	++	+
IC P5	Renewable Energy	++	+	++
IC P6	Local Business	++	++	0
IC P7	Community Facilities	++	++	0

5 CONFORMITY WITH STRATEGIC POLICIES

The Development Plan in the Test Valley Borough Council consists of the Test Vally Borough Revised Local Plan DPD 2011 - 2029, which was adopted on 27th January 2016.

The policies of the Over Wallop Neighbourhood Plan can be seen in the table below. Each Neighbourhood Plan policy is accompanied by a statement describing the 'general conformity' with strategic policies of the Development Plan.

The Development Plan strategic policies that have not been included in the table below are not considered to be directly relevant to the Over Wallop Neighbourhood Plan.

NP Policy Number and Title	Test Vally Revised Local Plan 2011 - 2029 DPD Strategic Policy / Other Policies	Comment on Conformity
Policy EL P1 Conservation Areas	<i>Policies: SD1: Presumption in Favour of Sustainable Development; E1: High Quality Development in the Borough; E2: Protect, Conserve and Enhance the Landscape Character of the Borough; E4: Residential Areas of Special Character and E9: Heritage</i>	This policy seeks to protect the unique character of the Conservation Area of the NP Area from development that would have an unacceptable harm to its setting. In addition, the policy sets out the valued open spaces and features of importance that will be preserved and enhanced as described in the Character Appraisal. Accordingly, it is considered that the policy will be in conformity with Local Plan Policies SD1, E1, E2, E4 and E9.
Policy EL P2 Listed Buildings and Locally Important Buildings	<i>Policies: SD1: Presumption in Favour of Sustainable Development; E1: High Quality Development in the Borough; E2: Protect, Conserve and Enhance the Landscape Character of the Borough; E4: Residential Areas of Special Character and E9: Heritage</i>	This policy identifies the designated and non-designated heritage assets of the NP Area as described in the Character Appraisal and sets out what will be required from development to be considered compatible with their unique features, characteristics or elements. Consequently, the policy is in conformity with Local Plan Policies SD1, E1, E2, E4 and E9.
Policy EL P3 Archaeology and Scheduled Ancient Monuments	<i>Policies: SD1: Presumption in Favour of Sustainable Development; E1: High Quality Development in the Borough; E2: Protect, Conserve and Enhance the Landscape Character of the Borough; E4: Residential Areas of Special Character and E9: Heritage</i>	This policy lists all of the Scheduled Ancient Monuments in the area and provides relevant information on what developers will need to submit to the LPA in order to demonstrate that the designated heritage asset will be preserved. Therefore, this policy is in conformity Local Plan Policies SD1, E1, E2, E4 and E9.
Policy EL P4 Important Views	<i>Policies: SD1: Presumption in Favour of Sustainable Development; E1: High Quality Development in the Borough; E2: Protect, Conserve and Enhance the Landscape Character of the Borough; E3: Local Gaps; E4: Residential Areas of Special Character and E5: Biodiversity</i>	This policy identifies Important Views and seeks to manage the effect of development on the character on the landscape and to respond positively to the Important Views. This reflects the policy approach in policies SD1, E1, E2, E3, E4 and E5. Therefore, this policy is considered to be in general conformity with the above policies.

Policy EL P5 Public Rights of Way	<i>Policies: SD1: Presumption in Favour of Sustainable Development; E1: High Quality Development in the Borough; E2: Protect, Conserve and Enhance the Landscape Character of the Borough; E6: Green Infrastructure and T1: Managing Movement</i>	The policy aims to encourage improvements to existing, and the creation of new, Public Rights of Way providing they respect the local character of the NP Area. Mitigation measures are also being sought from development that would have an unacceptable harm to the Public Right. As a consequence, it is considered that policy EL P5 is in conformity with Local Plan Policies SD1, E1, E2, E6 and T1.
Policy EL P6 Trees and hedgerows	<i>Policies: SD1: Presumption in Favour of Sustainable Development; E1: High Quality Development in the Borough; E5: Biodiversity; E6: Green Infrastructure; LHW4: Amenity</i>	Trees and hedgerows of amenity value within the NP Area as described in the Character Appraisal are considered a significant local asset and this policy seeks to protect these elements from development that would have an unacceptable harm to it. It also sets out a number of criteria, which provide additional information on proposals for replacement or new tree planting. Accordingly, this policy is in conformity with Local Plan Policies SD1, E1, E5, E6 and LHW4.
Policy EL P7 Settlement Character and Coalescence	<i>Policies: SD1: Presumption in Favour of Sustainable Development; COM2: Settlement Hierarchy; COM10: Occupational Accommodation for Rural Workers in the Countryside; COM11: Existing Dwellings and Ancillary Domestic Buildings in the Countryside; COM12: Replacement Dwellings in the Countryside; LE16: Re-Use of Buildings in the Countryside; LE17: Employment Sites in the Countryside; E1: High Quality Development in the Borough; E2: Protect, Conserve and Enhance the Landscape Character of the Borough; E3: Local Gaps and E4: Residential Areas of Special Character</i>	The policy will help to maintain the separate identifies of each of the settlements in the Plan area as described in the Character Appraisal. This approach is consistent with the policy approach in the development plan policies identified in the column to the left, particularly those in relation to settlement hierarchy COM2 and landscape policies.
Policy EL P8 Local Green Spaces	<i>Policies: SD1: Presumption in Favour of Sustainable Development; E4: Residential Areas of Special Character; E5: Biodiversity; E6: Green Infrastructure and LHW4: Amenity</i>	The policy reflects national policies and lists a number of green spaces that are proposed for designation, due to their compliance with the criteria set out in the NPPF and the benefits they provide to the local community. Consequently, it is considered that this policy is in conformity with the relevant strategic policies of the Local Plan.
Policy EL P9 Biodiversity	<i>Policies: SD1: Presumption in Favour of Sustainable Development; E2: Protect, Conserve and Enhance the Landscape Character of the Borough and E5: Biodiversity</i>	The NP Area has several international and nationally protected sites, as well as numerous priority habitats and biodiversity opportunity areas identified and this policy seeks to protect them from any unacceptable harm. The policy also suggests that development delivers a biodiversity net gain of at least 10%, which accords with NPPF Paragraphs 170(d), 174(b) and 175(d). Therefore, policy EL P9 is considered to be in conformity with Local Plan Policies SD1, E2, and E5.

Policy EL P10 Water Courses	<i>Policies: SD1: Presumption in Favour of Sustainable Development; E7: Water Management and E8: Pollution</i>	Wallop Brook is a distinctive feature of the NP Area (and leads to River Test SSSI and the Solent Maritime SAC, Solent and Southampton Water SPA / RAMSAR) and this policy seeks to protect the watercourse from unacceptable harm that would be caused from any type of development. This approach reflects the objectives that are set out in Local Plan Policies SD1, E7 and E8.
Policy EL P11 Dark Night Skies	<i>Policies: SD1: Presumption in Favour of Sustainable Development; E2: Protect, Conserve and Enhance the Landscape Character of the Borough; E8: Pollution and LHW4: Amenity</i>	<p>Policy EL P11 is written to conserve and enhance tranquility in relation to light pollution and dark night skies.</p> <p>Whilst a number of areas within the NP Area are identified to suffer greatly from light pollution these are outside the remit of the Plan. This policy refers to the remaining area which benefits from dark night skies and aims to prevent excessive light spill in areas that are dark at night. Policies SD1, E2, E8 and LHW4 are supportive of this statement, and thus it is considered that policy EL P11 is in general conformity with the above development plan policies.</p>
Policy EL P12 Air, Noise, Water Pollution	<i>Policies: SD1: Presumption in Favour of Sustainable Development; E8: Pollution; LHW4: Amenity and T1: Managing Movement</i>	<p>A343 crosses through the eastern side of the NP Area causing major noise and air pollution and this policy provides effective measures to try and ensure new development does not exacerbate this or provide adequate mitigation. The protection of the public health of local communities is of great importance and is clearly indicated in Local Plan Policies SD1, E8, LHW4 and T1.</p> <p>Accordingly, it can be considered that policy EL P12 is in general conformity with the above policies.</p>
Policy EL P13 Water Pollution	<i>Policies: SD1: Presumption in Favour of Sustainable Development; E8: Pollution and LHW4: Amenity</i>	<p>The NP Plan Area lies within the Solent Catchment area, which was announced to be at risk from nutrients by Natural England. This policy aims to provide guidance to developers on what mitigation measures will be appropriate and to ensure that all new developments within the area will achieve nutrient neutrality.</p> <p>This policy can be considered in conformity with Local Plan Policies SD1, E8 and LHW4 as it seeks to protect and maintain a safe environment for the local community.</p>
Policy DD P1 New Housing Development	<i>Policies: SD1: Presumption in Favour of Sustainable Development; COM2: Settlement Hierarchy; COM10: Occupational Accommodation for Rural Workers in the Countryside; COM11: Existing Dwellings and Ancillary Domestic Buildings in the Countryside; COM12: Replacement Dwellings in the Countryside; E1: High Quality Development in the Borough; E2: Protect, Conserve and Enhance the Landscape Character of the Borough; E3: Local Gaps; E4: Residential Areas of Special Character and LHW4: Amenity</i>	<p>Policy DD P1 sets out the overall requirements that will need to be met by developers in order for housing development to be considered acceptable. The policy defines a settlement boundary and provides criteria for appropriate development consistent with the Character Appraisal and Design Code findings within the settlement boundary. This approach is consistent with both national and local plan policies, which strongly discourage housing development on the countryside.</p> <p>This policy also draws from local housing need evidence that have been prepared in support of the Over Wallop Neighbourhood</p>

		<p>Plan and encourages developers to use them in order to justify their proposals.</p> <p>Therefore, it is considered that Policy DD P1 is in general conformity with local plan policies SD1, COM2, COM10, COM11, COM12, E1, E2, E3, E4 and LHW4.</p>
Policy DD P2 Affordable and Community-led Housing Provision	<i>Policies: SD1: Presumption in Favour of Sustainable Development; COM7: Affordable Housing; COM8: Rural Exception Affordable Housing; COM9: Community Led Development; E1: High Quality Development in the Borough; LHW4: Amenity and T1: Managing Movement</i>	<p>This policy supports affordable and community led development where it can be demonstrated that is minor in scale, meets the local housing need of the NP Area and are sympathetic to its local character as set out in the Character Appraisal and Design Code.</p> <p>This approach is in general conformity with the relevant policies of the Local Plan, which are SD1, COM7, COM8, COM9, E1, LHW4 and T1.</p>
Policy DD P3 Design Principles	<i>Policies: SD1: Presumption in Favour of Sustainable Development; E1: High Quality Development in the Borough; E4: Residential Areas of Special Character; E9: Heritage and LHW4: Amenity</i>	<p>This policy draws upon the Character Appraisal and Design Code prepared for the Over Wallop Neighbourhood Plan and seeks to create a framework, which will preserve or enhance the locally specific features which positively enhance the individual character of the settlements and countryside.</p> <p>Accordingly, it is considered that policy DD P3 is in general conformity with Local Plan Policy SD1, E1, E4, E9 and LHW4.</p>
Policy DD P4 Flood Management	<i>Policies: SD1: Presumption in Favour of Sustainable Development; E1: High Quality Development in the Borough and E7: Water Management</i>	<p>Policy DD P4 reflects Local Plan Policy E7 and seeks to redirect development away from areas that are liable of flooding as shown on the maps within the Plan. It also provides additional guidance on other related issues, such as harvesting / discharge of surface water and foul water drainage.</p> <p>It is considered that the above approach is in general conformity with Local Plan Policies SD1, E1 and E7.</p>
Policy IC P1 Highways - Sustainable Travel	<i>Policies: SD1: Presumption in Favour of Sustainable Development; COM15: Infrastructure; T1: Managing Movement and T2: Parking Standards</i>	<p>Policy IC P1 sets out a number of criteria that are required to be met in order to promote sustainable travel and ensure that development will have an adverse impact on highway safety. In this regard information relating to proposed mitigation measures which will be sought from developers is also provided.</p> <p>This approach is considered to be in general conformity with Local Plan Policies SD1, T1 and T2.</p>
Policy IC P2 Highways and Traffic	<i>Policies: SD1: Presumption in Favour of Sustainable Development; COM15: Infrastructure; T1: Managing Movement and T2: Parking Standards</i>	<p>This policy builds upon the Parish Roads Strategy Document that has been submitted as part of the Evidence Base relating junctions and roads of concern and requires applications to be accompanied by evidence, which would determine the impact of the development and provide mitigation measures where it is considered necessary.</p> <p>Accordingly, it is considered that policy IC P2 is in general conformity with Local Plan Policies SD1, COM15, T1 and T2.</p>

Policy IC P3 Quiet Lanes	<i>Policies: SD1: Presumption in Favour of Sustainable Development; COM14: Community Services and Facilities; COM15: Infrastructure; E1: High Quality Development in the Borough; LHW4: Amenity and T1: Managing Movement</i>	
Policy IC P4 Community Infrastructure and Services	<i>Policies: SD1: Presumption in Favour of Sustainable Development; COM14: Community Services and Facilities; COM15: Infrastructure; E1: High Quality Development in the Borough and T1: Managing Movement</i>	<p>Policy IC P3 provides details on the type of contributions that new development will need to provide in order to ensure that there is no unacceptable harm to the local community infrastructures.</p> <p>Subsequently, it is considered that Policy IC P3 is in general conformity with Local Plan Policies SD1, COM14, COM15, E1 and T1.</p>
Policy IC P5 Renewable Energy	<i>Policies: SD1: Presumption in Favour of Sustainable Development; E2: Protect, Conserve and Enhance the Landscape Character of the Borough; E5: Biodiversity; E8: Pollution; E9: Heritage; LHW4: Amenity and T1: Managing Movements</i>	<p>This policy reflects the latest government policy and guidance on climate change and seeks to promote renewable energy installations where they do not cause unacceptable harm to the landscape and rural character of the NP Area as set out in the Character Appraisal. It also highlights that appropriate renewable projects backed by the local community will be positively received.</p> <p>This approach is considered to be consistent with the following policies of the Local Plan: SD1, E2, E5, E8, E9, LHW4 and T1.</p>
Policy IC P6 Local Business	<i>Policies: SD1: Presumption in Favour of Sustainable Development; LE10: Retention of Employment Land and Strategic Employment Sites; LE16: Re-Use of Buildings in the Countryside; LE17: Employment Sites in the Countryside; LE18: Tourism; E2: Protect, Conserve and Enhance the Landscape Character of the Borough and LHW4: Amenity</i>	<p>There are no specific employment areas designated in the NP Area, however there are a number of small business that are scattered throughout. The policy seeks to encourage the creation of new business opportunities in the whole of the NP Area, provided that proposals meet a certain list of criteria that will ensure that there will be no unacceptable harm to the rural environment.</p> <p>Therefore, it is considered that policy IC P5 is in general conformity with Local Plan Policies SD1, LE10, LE16, LE17, LE18, E2 and LHW4.</p>
Policy IC P7 Community Facilities	<i>Policies: SD1: Presumption in Favour of Sustainable Development; COM14: Community Services and Facilities; LHW1: Public Open Space and LHW4: Amenity</i>	<p>This policy seeks the improvement, reuse and retention of existing community facilities within the NP Area and makes clear that proposals for the loss of a community facility will only be permitted if a suitable replacement facility is provided.</p> <p>This approach is considered to be in general conformity with Local Plan Policies SD1, COM14, LHW1 and LHW4.</p>

6 COMPATIBILITY WITH EU OBLIGATIONS (AS INCORPORATED INTO UK LAW) / PRESCRIBED CONDITIONS

The EU Directives (as incorporated into UK law) that are of most relevance to the Over Wallop Neighbourhood Plan are as follows:

- The Strategic Environmental Assessment (SEA) Directive 2001/42/EC
- The Habitats Directive 92/43/EEC
- The Wild Birds Directive 2009/147/EC

The above have been transposed into UK law in the following ways:

- The SEA Directive is transposed into UK legislation by way of the Environmental Assessment of Plans and Programmes Regulations 2004
- The Habitats and Wild Birds Directives have been transposed into UK legislation by way of the Conservation of Habitats and Species Regulations 2017 as amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019

Other Directives that are not directly relevant to the Neighbourhood Plan are as follows:

- The Environmental Impact Assessment (EIA) Directive 2011/92/EU
- The Waste Framework Directive (2008/98/EC)
- The Air Quality Directive (2008/50/EC)
- The Water Framework Directive (2000/60/EC)

The above have been transposed through the following main legislative tools (which may be subject to further amendments):

- Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended).
- Waste (England and Wales) Regulations 2011 (Waste Regulations 2011), SI 2011/988; Waste (Circular Economy) (Amendment) Regulations 2020, SI 2020/904

- Air Quality Standards Regulation 2010 (as amended)
- Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 and The Environmental Permitting (England and Wales) Regulations 2016

The fifth Basic Condition requirement that 'Prescribed Conditions' are met, means - for the purposes of this Neighbourhood Plan - that the making of the Neighbourhood Plan must not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017, which sets out the habitat regulations assessment process for land use plans, including consideration of the effect on habitats sites.

This requirement was introduced by Regulation 32 of the Neighbourhood Planning (General) Regulations 2012 (as amended).

Furthermore, it is necessary to consider whether the Neighbourhood Plan is compatible with European Convention on Human Rights (ECHR) obligations which are the same as those set out in the Human Rights Act 1998.

Human Rights Act 1998

Dealing with this last matter first, the Neighbourhood Plan Steering Group, being cognisant of the obligations in relation to Human Rights, have sought to ensure that the Neighbourhood Plan has regard to the fundamental rights and freedoms guaranteed under the ECHR and that it complies with the Human Rights Act 1998.

These rights can be summarised as follows:

- The right to life
- The prohibition of torture and inhuman treatment
- Protection against slavery and forced labour
- The right to liberty and freedom
- The right to a fair trial and no punishment without law
- Respect for privacy and family life and the right to marry
- Freedom of thought, religion and belief
- Free speech and peaceful protest
- No discrimination
- Protection of property
- The right to an education
- The right to free elections

The process of developing this Neighbourhood Plan has involved a significant amount of public consultation, seeking to engage with as full a range of consultees as possible to ensure the greatest opportunity for discussion about the Neighbourhood Plan (see Consultation Statement for details).

This engagement with the local community (through consultation with a wide array of individuals, businesses, landowners and community organisations) has provided many opportunities for the community to feedback and be involved in the process. This has meant that in having the opportunity to consider the draft Neighbourhood Plan and to seek to influence it where appropriate, respondents have been able to ensure, through discussion and feedback, that those rights identified above have been protected throughout the process.

In addition, as Appendix A to this Statement demonstrates, an Equalities Impact Assessment of the Neighbourhood Plan has been carried out to ensure that no groups or individuals are disadvantaged as a result of decisions being made which fail to take account of their requirements.

Other EU Obligations as Transposed into UK Legislation

Furthermore, the Plan does not contain policies which would have implications for air quality, water or waste and it is therefore compatible with the EU Directives dealing with those matters, as transposed into UK legislation.

Finally, the Plan does not propose individual projects or projects of a scale which would trigger the need for an Environmental Impact Assessment (EIA) and therefore the Plan is also compatible with EIA Directive as transposed into UK legislation.

Equality

Neighbourhood Plans fall within the remit of Equality Act 2010. This legislation seeks to ensure that no groups or individuals are disadvantaged as a result of decisions being made which fail to take account of their requirements; and that policies and decision making do not discriminate either accidentally or deliberately.

An Equality Impact Assessment (EqIA) of the policies of the Neighborhood Plan is provided at in Appendix A to this document. The assessment concludes that the policies in the Over Wallop Neighbourhood Plan submission will in some cases result in positive impacts for all road users and those with disability and for the community facilities of the area. In other cases the policies will have a neutral impact on the protected characteristics.

7 CONCLUSIONS

Having undertaken an analysis of the Neighbourhood Plan in the preceding sections of this Statement, it is concluded that the Plan meets the basic conditions set out in Schedule 4B of the Town and Country Planning Act 1990 (as amended) and Regulation 32 of the Neighbourhood Planning (General) Regulations 2012 (as amended).

APPENDIX A EQUALITY IMPACT ASSESSMENT

The explanatory notes to the Equality Act 2010 explain that the Act “.... *has two main purposes - to harmonise discrimination law, and to strengthen the law to support progress on equality.*”

It goes on to note that the Act combines a number of Acts of Parliament and sets of Regulations dating back to 1970. It places various duties on public bodies and identifies a series of ‘protected characteristics’ that could either accidentally or deliberately be discriminated against during the course of decision making or policy processes. These protected characteristics are:

- Age;
- Disability;
- Marriage and civil partnership;
- Pregnancy and maternity;
- Race;
- Religion and belief;
- Sex;
- Sexual orientation; and
- Gender reassignment.

The purpose of this section is to assess the submission draft of the Over Wallop Parish Neighbourhood Development Plan against the above protected characteristics. Where the policies are found to have a negative effect on a protected characteristic then this can be used to identify necessary amendments to policies or to inform the consideration of potential amendments during the examination into the submission Neighbourhood Development Plan.

The degree to which policies meet equality characteristics is scored using the scoring scheme shown in the following table.

Score	Commentary
+	The policy will result in a positive effect on the equality characteristic in question
0	The policy will result in a neutral effect on the equality characteristic in question
-	The policy will result in a negative effect on the equality characteristic in question

This assessment is intended as a final check in the process of preparation of the Plan for submission. Earlier consultation exercises with the local community have engaged with a range of individuals and groups, providing an opportunity for them to comment on all aspects of the draft Plan, including whether the draft Plan supports equality.

The table over page identified each policy and assess the policy against each of the protected characteristics. The final row of each table is for comments including any actions arising from the assessment of each specific policy.

Finally, conclusions are drawn from the exercise and the conclusions fed into the Basic Condition Statement findings.

Policy reference	Policy Description	Age	Disability	Gender reassignment	Marriage and civil partnership	Race	Religion and belief	Sex	Sexual orientation	Pregnancy and maternity	Comments
Environment and Landscape											
EL P1	Conservation Areas	0	0	0	0	0	0	0	0	0	
EL P2	Listed Buildings and Locally Important Heritage Assets	0	0	0	0	0	0	0	0	0	
EL P3	Archaeology and Scheduled Ancient Monuments	0	0	0	0	0	0	0	0	0	
EL P4	Important Views	0	0	0	0	0	0	0	0	0	
EL P5	Public Rights of Way	+	+	0	0	0	0	0	0	0	Policy has potential to improve road safety for all road users of all ages and those with disability
EL P6	Trees and Hedgerows	0	0	0	0	0	0	0	0	0	
EL P7	Settlement Character and Coalescence	0	0	0	0	0	0	0	0	0	
EL P8	Local Green Spaces	+	+	0	0	0	0	0	0	0	Policy protects valued spaces / recreation facilities which are available to various age groups and those with disabilities
EL P9	Biodiversity	0	0	0	0	0	0	0	0	0	
EL P10	Water Courses	0	0	0	0	0	0	0	0	0	
EL P11	Dark Night Skies	0	0	0	0	0	0	0	0	0	
EL P12	Air and Noise Pollution	0	0	0	0	0	0	0	0	0	
EL P13	Water Pollution	0	0	0	0	0	0	0	0	0	
Development and Design											
DD P1	New Housing Development	0	0	0	0	0	0	0	0	0	
DD P2	Affordable and Community-led Housing Provision	+	+	0	0	0	0	0	0	0	Will provide for local needs including where there is a need for homes for retirement purposes or those with additional needs / supported living as required
DD P3 a,b,c,d	Design Principles	+	+	0	0	0	0	0	0	0	Design should be in accordance with national space standards and guidance on adaptable homes
DD P4	Flood Management	0	0	0	0	0	0	0	0	0	
Infrastructure and Community											
IC P1	Highways - Sustainable Travel	0	+	0	0	0	0	0	0	0	Policy has potential to improve sustainable travel and road safety for all road users including those with a disability
IC P2	Highways and Traffic	0	0	0	0	0	0	0	0	0	
IC P3	Quiet Lanes	0	0	0	0	0	0	0	0	0	
IC P4	Community Infrastructure and Services	0	+	0	0	0	0	0	0	0	Policy supports provision of improved access to facilities
IC P5	Renewable Energy	0	0	0	0	0	0	0	0	0	
IC P6	Local Business	0	+	0	0	0	0	0	0	0	New businesses are designed to meet the needs of those with disabilities
IC P7	Community Facilities	0	0	0	+	0	+	0	0	0	It is proposed that the new Pavilion be licensed for marriages and civil partnerships The church is considered a community asset