

Awbridge Neighbourhood Plan - 2040



Basic Conditions Statement Submission Draft

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Produced by the Awbridge Parish Neighbourhood Plan Steering Committee

In conjunction with
Bluestone Planning LLP

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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 Awbridge NDP submission.

- The Awbridge Neighbourhood Plan - 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;
- An evidence base comprising the evidence base documents identified in the NP including:
 - Character Appraisal and Design Guide
 - Local Green Spaces
 - Important Views
 - Non-Designated Heritage Assets

For additional information please see <https://www.awbridge.info/awbridge-neighbourhood-plan/>

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 Awbridge 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).

Awbridge 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 Borough Council?

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

The Awbridge Neighbourhood Area application was submitted on 22th February 2018 and following consultation that ran from 23rd March to 11th May 2018, the Test Valley Borough Council Head of Planning Policy designated the area, which covers the whole parish area.

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

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

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

The designated Neighbourhood Area is indicated below in Figure 1:

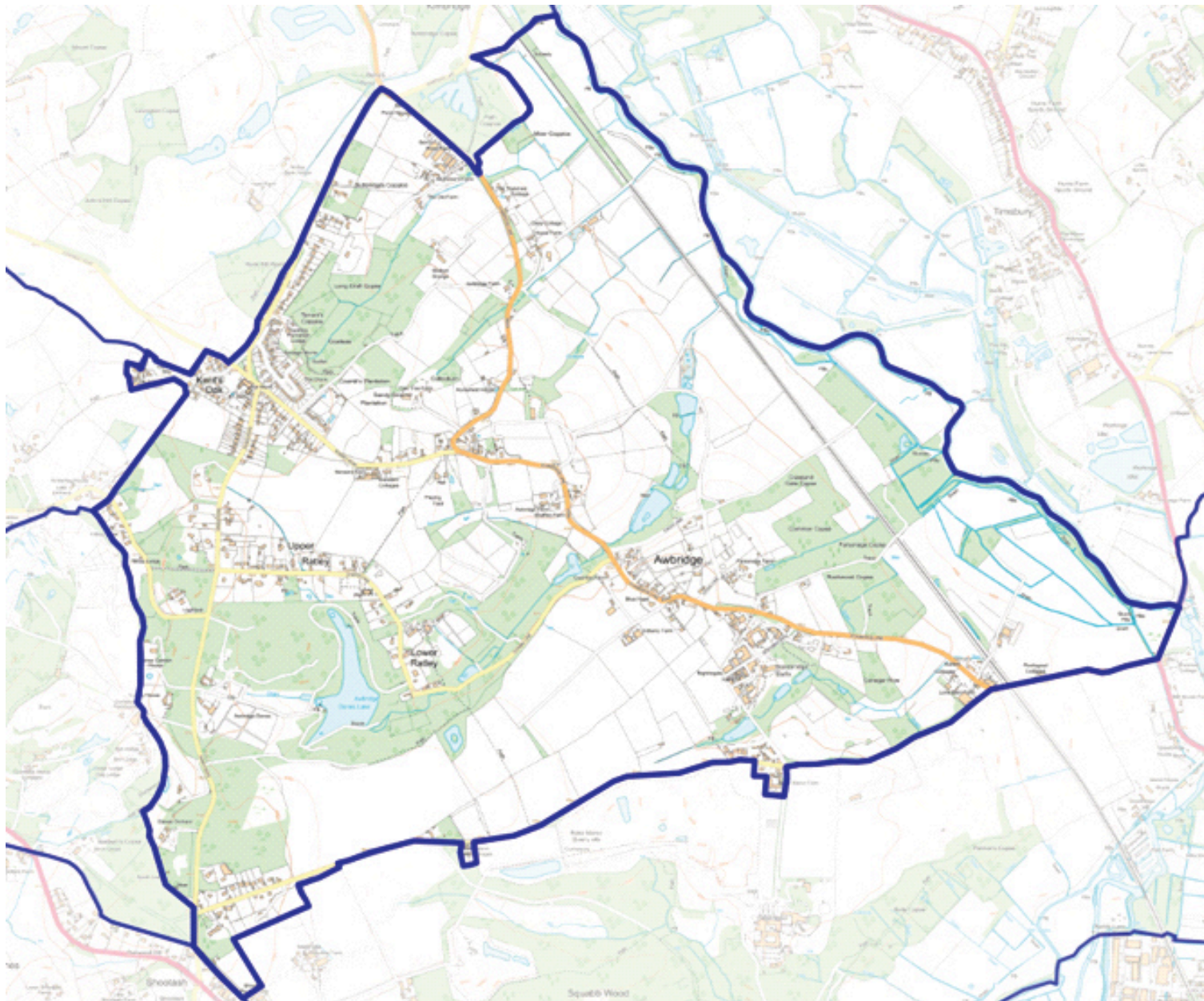


Figure 1. Designated Neighbourhood Area

Do the Awbridge 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 to 2040.

Does the Awbridge 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 county 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 Awbridge Neighbourhood 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 Awbridge 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 Awbridge parish boundary and the Neighbourhood Plan Area.

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

The Awbridge 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 Awbridge 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.

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 Awbridge Neighbourhood Plan has been prepared with regard to national policies as set out in the revised National Planning Policy Framework (NPPF) dated December 2023. 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 area 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	<i>NPPF Paragraphs 8 (sustainable development), 12-14, 18, 21, 29-30, 37, 50, 52, 67-68, 71, 105, 132, 145 and 161 (neighbourhood planning).</i> <i>NPPG Paragraphs 41-001-20190509-41-107-20200925 (neighbourhood planning).</i>	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.
Policy A1 Landscape Character	<i>NPPF Paragraphs 8 (sustainable development), 104, 108, 114-116 (traffic / highways), 123-125 (making effective use of land), 131-140 (design), 180 (landscape), 135, 191 (amenity) and 195-199 (conserving and enhancing the historic environment).</i> <i>NPPG Paragraphs 18a-001-20190723 to 18a-021-20190723 (historic environment), 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), 42-013-20140306 to 42-015-20140306 (transport) and 66-006-20190722 to 66-007-20190722 (amenity).</i>	This policy draws on the evidence contained in the Parish Character Appraisal and Design Code to conserve and enhance the unique features and characteristics of the local landscapes that have been identified. This will ensure that the characteristics and green features that make the landscape valuable are preserved and continue to play an important role in defining the visual setting of the Plan area. This policy reflects the relevant paragraphs of the NPPF and NPPG in the column to the left, which seek to conserve and enhance the natural environment and will ensure that development proposals take into account the sensitive nature of these areas and preserve the visual setting of the Plan area.
Policy A2 Important Views and Vistas	<i>NPPF Paragraphs 8 (sustainable development), 131-140 (design) and 191(c) (dark landscapes).</i> <i>NPPG Paragraphs 26-001-20191001 to 26-023-20191001 (design) and 8-036-20190721 to 8-042-20190721 (landscape).</i>	Policy A2 identifies a list of key views and seeks to ensure that development proposals do not adversely impact on the setting of these important views and instead aim to enhance the local character of the Plan area, where appropriate.
Policy A3 Local Green Spaces	<i>NPPF Paragraphs 8 (sustainable development), 20, 96, 159, 181 and 192 (green infrastructure) and 102-107 (open space and recreation).</i> <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>	This policy draws on the evidence provided in the Local Green Spaces Assessment and designates a number of open spaces as Local Green Spaces, which are considered to meet the criteria that are set out in paragraph 106 of the NPPF. It is therefore considered that this policy complies with the requirements set out in the relevant paragraphs of the NPPF and the associated guidance in the NPPG.
Policy A4.1 Biodiversity and Habitats, Policy A4.3 Mottisfont Bats and Policy A4.4 New Forest Special Protection Area	<i>NPPF Paragraphs 8 (sustainable development), 180 (landscape) and 20, 96, 159, 180-188, 192 (biodiversity / Net Gain / green infrastructure).</i> <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>	This policy draws on paragraphs 124, 185 - 188 of the NPPF and the Hampshire Biodiversity Information Centre Report, which identifies the number of statutory and non-statutory environmentally protected sites that are contained in the Plan area. It seeks to manage new development in a way that will ensure the preservation of significant habitats and wildlife corridors and also sets out a list of biodiversity enhancements that would allow developers to meet the statutory mandatory figure of biodiversity net gain. It is accordingly considered that this policy is in accordance with the requirements of the NPPF.

Policy A4.2 The Solent Region International Sites	<i>NPPF Paragraphs 8 (sustainable development), 69-71 (delivering housing), 82-84 (rural housing), 131-140 (design) and 20, 96, 159, 180-188, 192 (biodiversity / Net Gain / green infrastructure).</i> <i>NPPG Paragraphs 8-036-20190721 to 8-042-20190721 (landscape), 26-001-20191001 to 26-023-20191001 (design), 66-005-20190722 (density), 66-006-20190722 to 66-00720190722 (amenity) and 67-00920190722 to 67-010-20190722 (rural housing).</i>	Policy A4.2 sets out in detail the mitigation measures that will be requested to ensure the reduction of nitrogen pollution in the Solent Region International Sites within the Plan area. It also provides further details on financial contributions that may be sought.
Policy A5 Dark Night Skies	<i>NPPF Paragraphs 8 (sustainable development), 131-140 (design), 191(c)(dark landscape) and 135, 193 (amenity).</i> <i>NPPG Paragraphs 8-036-20190721 to 8-042-20190721 (landscape), 31-001-20191101 to 31-007-20191101 (light pollution), 26-001-20191001 to 26-023-20191001 (design), 66-004-20190722 to 66-005-20190722 (density) and 66-006-20190722 to 66-00720190722 (amenity).</i>	This policy seeks to conserve and enhance the tranquil and intrinsic rural character of the Plan area by encouraging good design practices in terms of installation of lighting, which will ensure that the dark landscape is maintained.
Policy A6 Setting of the Dispersed Settlements	<i>NPPF Paragraphs 8 (sustainable development), 123-125 (making effective use of land), 128-129 (density), 131-140 (design), 157-179 (flood risk and climate change), 180 (landscape), 135, 191 (amenity), 195-199 (conserving and enhancing the historic environment) and 20, 96, 159, 180-188, 192 (biodiversity / Net Gain / green infrastructure).</i> <i>NPPG Paragraphs 66-004-20190722 to 66-005-20190722 (density), 18a-001-20190723 to 18a-021-20190723 (historic environment), 31-001-20191101 to 31-007-20191101 (light pollution), 26-001-20191001 to 26-023-20191001 (design), 8-036-20190721 to 8-042-20190721 (landscape), 66-006-20190722 to 66-007-20190722 (amenity / daylight), 18a-001-20190723 to 18a-063-20190723 and 18a-039-20190723 to 18a-041-20190723 (heritage) and 8-004-20190721 to 8-035-20190721 (biodiversity / Net Gain and green infrastructure).</i>	This policy draws from the Parish Character Appraisal and Design Code and identifies gaps. This policy is considered to be consistent with national policy that focuses on preserving the distinctive character of Awbridge as a historic settlement and preserving sufficient space to prevent coalescence.
Policy A7 Housing	<i>NPPF Paragraphs 8 (sustainable development), 60-73 (housing mix and affordability), 82-84 (rural housing), 123-125 (making effective use of land), 128-129 (density), 131-140 (design) and 135, 193 (amenity).</i> <i>NPPG Paragraphs 26-001-20191001 to 26-023-20191001 (design), 66-004-20190722 to 66-005-20190722 (density), 66-006-20190722 to 66-00720190722 (amenity) and 67-00920190722 to 67-010-20190722 (rural housing).</i>	Policy A7 draws from the Housing Needs Assessment and Site Assessment that forms part of the evidence base for this NP and seeks to support development proposals that will help with meeting an identified housing need in the Plan area. In particular, development proposals for community led housing and / or rural exception site schemes, including housing for younger people and specialist housing, will also be supported provided that they meet the remaining relevant development plan and NP policies.
Policy A8 Non- Designated Heritage Assets	<i>NPPF Paragraphs 8 (sustainable development), 123-125 (making effective use of land), 131-140 (design), 180 (landscape), 135, 193 (amenity), 191(c) (dark landscapes) and 195-199 (conserving and enhancing the historic environment).</i>	This policy draws largely from the Parish Character Appraisal and Design Code and sets out a list of the identified non-designated heritage assets in the Plan area. This policy reflects national policy on conserving and enhancing designated and non-designated heritage assets in the NPPF.

Policy A9 Design	<i>NPPF Paragraphs 8 (sustainable development), 114-117 (transport), 123-125 (making effective use of land), 128-129 (density), 131-140 (design), 180 (landscape), 135, 193 (amenity), 191(c) (dark landscapes) and 195-199 (conserving and enhancing the historic environment).</i> <i>NPPG Paragraphs 8-036-20190721 to 8-042-20190721 (landscape), 18a-001-20190723 to 18a-063-20190723 (heritage), 26-001-20191001 to 26-023-20191001 (design), 42-001-20140306 to 42-015-20140306 (transport) and 66-006-20190722 to 66-007-20190722 (amenity / daylight).</i>	This policy draws primarily from the Parish Character Appraisal and Design Code and National Design Guide and seeks to ensure that all development proposals, including proposals for housing extensions and replacement dwellings respect and maintain the distinctive character of Awbridge.
Policy A10 Flooding and Drainage	<i>NPPF Paragraphs 8 (sustainable development), and 157-179 (flood risk and climate change).</i> <i>NPPG Paragraphs 6-001-20140306 to 6-012-20190315 (climate change), 7-002-30240306 to 7-068-20140306 (flood risk).</i>	Policy A10 identifies the individual areas in the Plan area that are at risk of flooding from different sources and highlights that proposals for new development should be in accordance with the requirements set out in the NPPF paragraphs to the left. It is also noted that new development should incorporate Sustainable urban Drainage Systems, when appropriate ground conditions allow.
Policy A11 Accessibility, Public Rights of Way and Highway Safety	<i>NPPF Paragraphs 8 (sustainable development), 96, 101 (healthy communities), 104, 108, 114-116 (traffic / highways) and 131-140 (design).</i> <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>	This policy focus on parking, highway safety and accessibility matters and sets out a list of requirements that future development proposals will need to meet to ensure that there is no unacceptable harm to the amenity and travel safety of local residents in the Plan area.
Policy A12 Community Facilities and Policy A13 Small Scale Employment Use	<i>NPPF Paragraphs 8 (sustainable development), 58, 85-89 (economy), 96-97, 99 (healthy / safe communities), 102-103 (open space / recreation), 127 (viability) and 193 (pollution).</i> <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>	This policy sets out a list with the important community assets that have been identified in the Plan area and seeks to protect, resist their loss and improve them, as well as encourage provision of new facilities provided that new or improved facilities / infrastructure are required to directly mitigate the impact of development. This policy is considered to be in accordance with Sections 6 and 8 of the NPPF, which seek to support a prosperous rural economy, encourage healthy safe communities.

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.
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 and improve cycling facilities in the Plan area. The Plan also identifies proposed Local Green Spaces and a green infrastructure network, which are 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 appropriate landscape and design 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.	1, 2, 3
2. Water Resources and Flood Risk	En	Use and manage water resources in a sustainable manner.	2, 4, 3
	En	Protect people and property from risk of flooding.	4
3. Climatic Factors	En	Minimise our impacts on climate change and reduce our vulnerability to future climate change effects.	5
4. Landscape and Townscape	En	Conserve and enhance the character and quality of Awbridge NP's rural and urban landscapes, maintaining and strengthening local distinctiveness and sense of place.	6, 7, 8
5. Healthy Communities	So	Provide a safe and healthy environment in which to live.	9, 11, 12, 13, 14, 15
6. Education and Skills	So	Raise educational attainment and provide opportunities for people to improve their workplace skills.	11, 13, 14
7. Economy and Enterprise	Econ	Encourage a vibrant and diversified local economy and provide for long-term sustainable economic growth.	10, 11
	Econ	Ensure adequate provision of employment land and diverse employment opportunities to meet the needs of local businesses and a changing workforce.	10, 11
8. Land and Soil Resources	En	Ensure efficient and effective use of land and the use of suitably located previously developed land and buildings.	6, 7, 10

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		
The Rural Landscape and Natural Environment		Economic	Social	Environmental
Policy A1	Landscape Character	0	++	++
Policy A2	Important Views and Vistas	0	++	++
Policy A3	Local Green Spaces	0	++	++
Policy A4.1	Biodiversity and Habitats	0	++	++
Policy A4.2	The Solent Regional International Sites			
Policy A4.3	Mottisfont Bats			
Policy A4.4	New Forest Special Protection Area			
Policy A5	Dark Night Skies	0	++	++
Policy A6	Setting of the Dispersed Settlements	0	++	++
The Built Environment		Economic	Social	Environmental
Policy A7	Housing	+	++	0
Policy A8	Non-Designated Heritage Assets	+	++	++
Policy A9	Design	+	++	++
Local Community and Infrastructure		Economic	Social	Environmental
Policy A10	Flooding and Drainage	0	++	++
Policy A11	Accessibility, Public Rights of Way and Highway Safety	0	++	++
Policy A12	Community Facilities	+	++	+
Policy A13	Small Scale Employment Uses	++	+	0

5 CONFORMITY WITH STRATEGIC POLICIES

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

The policies of the Awbridge 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 Awbridge Neighbourhood Plan.

NP Policy Number and Title	Test Valley Revised Local Plan 2011 - 2029	Comment on Conformity
Policy A1 Landscape	<i>TVBC Policies: SD1: Presumption in Favour of Sustainable Development; E2: Protect, Conserve and Enhance the Landscape Character of the Borough; E5: Biodiversity and E8: Pollution</i>	This policy seeks to preserve the locally specific characteristics of the highlighted features, as described in the latest Test Valley Landscape Character Assessment 2018 and Appendix I. This approach is considered to be in general conformity with the approach that is set out in TVBC policies SD1, E2, E5 and E8.
Policy A2 Important Views and Vistas	<i>TVBC 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 locally important views and seeks to ensure development within the setting of these areas responds in a positive manner. This reflects the policy approach in policies SD1, E1, E2, E3, E4 and E5 of the TVBC, and therefore is considered to be in general conformity with the above policies.
Policy A3 Local Green Spaces	<i>TVBC 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. It is accordingly considered that this policy is in conformity with the policies of the TVBC that are set out in the column to the left.
Policy A4.1 Biodiversity	<i>TVBC Policies: SD1: Presumption in Favour of Sustainable Development; E2: Protect, Conserve and Enhance the Landscape Character of the Borough and E5: Biodiversity</i>	This policy seeks to protect and when appropriate enhance the numerous identified priority habitats and international and national designations in Awbridge. It also requires from development proposals to deliver a net gain of at least 10%, which is in accordance with the latest changes to the Biodiversity Gain Requirements Regulations 2024. This approach is considered to be in general conformity with TVBC SD1, E2 and E5.
Policy A4.2 The Solent Region International Sites	<i>TVBC Policies: SD1: Presumption in Favour of Sustainable Development; E8: Pollution and LHW4: Amenity</i>	This policy aims to reinforce the guidance provided by Natural England and set out details on the type of mitigation measures that will be considered appropriate to ensure that future development proposals will be able to achieve nutrient neutrality.

		Consequently, it is considered that this policy is in general conformity with the strategic policies of the TVBC that are set out in the column to the left.
Policy A4.3 Mottisfont Bats	<i>TVBC Policies: SD1: Presumption in Favour of Sustainable Development; E2: Protect, Conserve and Enhance the Landscape Character of the Borough; E5: Biodiversity and E8: Pollution</i>	Awbridge is located within the buffer zones for the Mottisfont Bats SAC. This policy seeks to ensure that development proposals in close proximity to these areas will preserve the foraging habitats and wildlife corridors and enhance them, when appropriate. It also provides developers with guidance on the type of external lighting that will be considered appropriate for these areas. This approach is considered to be in general conformity with TVBC SD1, E2, E5 and E8.
Policy A5 Dark Night Skies and Bat Foraging Routes	<i>TVBC 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>	Awbridge Parish benefits from relatively dark skies at night, albeit its proximity to Romsey has adversely impacted on this. This policy aims to provide detailed guidance to developers to ensure that proposals for external lighting will respect the tranquil environment of Awbridge and minimise light pollution. This approach is considered to be in general conformity with TVBC policies SD1, E2, E8 and LHW4.
Policy A6 Gaps between Settlements	<i>TVBC Policies: SD1: Presumption in Favour of Sustainable Development; COM2: Settlement Hierarchy; E2: Protect, Conserve and Enhance the Landscape Character of the Borough and E3: Local Gaps</i>	This policy identifies four distinctive areas, which define the character of Awbridge and setting of its settlements and designates them as open gaps. The principles highlighted in Appendix I were used to inform this policy, which has the objective to preserve the unique setting to each settlement in the Plan area. It is accordingly considered that this policy is in conformity with the policies of the TVBC that are set out in the column to the left.
Policy A7 Affordable Housing and Community Led Housing	<i>TVBC Policies: SD1: Presumption in Favour of Sustainable Development; COM2: Settlement Hierarchy; COM7: Affordable Housing; COM9: Community Led Development; E1: High Quality Development in the Borough; E2: Protect, Conserve and Enhance the Landscape Character of the Borough; E3: Local Gaps and LHW4: Amenity</i>	This policy requires from new development proposals for affordable and community-led housing to demonstrate a thorough understanding of each character area, as identified in Appendix I. It also seeks to reinforce existing housing development plan policies by supporting housing development that will meet the local housing needs, provided that certain criteria are met. This approach is considered to be in general conformity with TVBC policies SD1, COM2, COM7, COM9, E1, E2, E3 and LHW4.
Policy A8.1 Non-Designated Heritage Assets (and A8.2 Awbridge Danes)	<i>TVBC 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>	The policy draws from Appendix I and Appendix IV (Non-Designated Heritage Assets) sets out a list of the identified non-designated heritage assets in Awbridge, which development proposals should aim to preserve their unique historic features. This policy also encourages proposals that would result in the enhancement and regeneration of Awbridge Danes Park and Garden. It is accordingly considered that this policy is in general conformity with TVBC SD1, E1, E2, E4 and E9.

Policy A9 Design	<i>TVBC Policies: SD1: Presumption in Favour of Sustainable Development; LE16: Re-Use of Buildings in the Countryside; E1: High Quality Development in the Borough; E4: Residential Areas of Special Character; E9: Heritage and LHW4: Amenity</i>	The policy draws from Appendix I and seeks to create a design framework, which will preserve and improve the locally specific features that positively enhance the individual character of each of the 5 Parish Character Areas. Consequently, it is considered that this policy is in general conformity with the strategic policies of the TVBC that are set out in the column to the left.
Policy A10 Flooding and Drainage	<i>TVBC Policies: SD1: Presumption in Favour of Sustainable Development; E1: High Quality Development in the Borough and E7: Water Management</i>	The policy seeks to redirect development away from those areas that have been identified, as shown on the detailed maps in the NP, to be liable of flooding. It also provides additional information in connection with the discharge of foul and surface water. This policy is considered to be in general conformity with the strategic policies of the TVBC that are set out in the column to the left.
Policy A11 Accessibility, Public Rights of Way and Highway Safety	<i>TVBC Policies: SD1: Presumption in Favour of Sustainable Development; COM15: Infrastructure; T1: Managing Movement and T2: Parking Standards</i>	Policy A11 sets out a list of criteria that development proposals will need to meet in order to demonstrate that they will not have an unacceptable harm to highway safety. This policy also deals with parking, accessibility, safety matters and proposals which seek to enhance Public Rights of Way and improve the linkage between the settlements in the Plan area. This approach is considered to be in general conformity with TVBC SD1, COM15, T1 and T2.
Policy A12 Community Services and Facilities, and Small Scale Employment Uses	<i>TVBC Policies: SD1: Presumption in Favour of Sustainable Development; COM14: Community Services and Facilities; COM15: Infrastructure; 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; LHW4: Amenity and T1: Managing Movement</i>	This policy identifies the most important community facilities in Awbridge and seeks to ensure that development proposals that seek their improvement will be underpinned by robust assessments and evidence, which demonstrate that they will meet a clear community need. It also aims to encourage the creation and expansion of small rural businesses, provided that they do not have an unacceptable visual harm to the countryside.

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 Awbridge 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 the 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 Awbridge 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 Awbridge 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.

Awbridge NDP Basic Condition Statement

Policy Reference	Policy Description	Age	Disability	Gender Reassignment	Marriage and Civil Partnership	Race	Religion and Belief	Sex	Sexual Orientation	Pregnancy and Maternity	Comments
The Rural Landscape and Natural Environment											
Policy A1	Landscape Character	0	0	0	0	0	0	0	0	0	
Policy A2	Important Views and Vistas	0	0	0	0	0	0	0	0	0	
Policy A3	Local Green Spaces	+	+	0	0	0	0	0	0	0	Policy protects important open spaces, which are accessible by various age groups, including people with disabilities.
Policy A4.1	Biodiversity and Habitats	0	0	0	0	0	0	0	0	0	
Policy A4.2	The Solent Regional International Sites	0	0	0	0	0	0	0	0	0	
Policy A4.3	Mottisfont Bats	0	0	0	0	0	0	0	0	0	
Policy A4.4	New Forest Special Protection Area	0	0	0	0	0	0	0	0	0	
Policy A5	Dark Night Skies	0	0	0	0	0	0	0	0	0	
Policy A6	Setting of the Dispersed Settlements	0	0	0	0	0	0	0	0	0	
The Built Environment											
Policy A7	Housing	+	+	0	0	0	0	0	0	0	Policy has the potential to provide affordable housing that meets local needs, including where a housing need for retirement purposes or for those with additional needs / supporting living as required is identified.
Policy A8	Non-Designated Heritage Assets	0	0	0	0	0	0	0	0	0	
Policy A9	Design	+	+	0	0	0	0	0	0	0	Policy supports the provision of improved access to facilities and also seeks to ensure that new buildings will be of high quality designs.
Local Community and Infrastructure											
Policy A10	Flooding and Drainage	0	0	0	0	0	0	0	0	0	
Policy A11	Accessibility, Public Rights of Way and Highway Safety	+	+	0	0	0	0	0	0	0	Policy has the potential to promote sustainable travel, improve road safety and improve connectivity between settlements for all road users including those with disabilities.
Policy A12	Community Services and Facilities and Small Scale Employment Uses	+	+	0	+	0	+	0	0	0	Policy has the potential to improve services and accessibility to important community facilities, such as the village hall, the local church, primary school etc.
Policy A13	Small Scale Employment Uses	0	+	0	0	0	0	0	0	+	The policy is expected to have a positive effect for disabled people and those with pregnancy and maternity by supporting the development of small-scale and flexible employment spaces suited to home-based or local independent businesses.