



# **Ropley Neighbourhood Plan**

## **Basic Conditions Statement**

**26 November, 2018**

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## 1. Introduction

This Statement has been prepared by Ropley Parish Council to accompany its submission of the proposed Ropley Neighbourhood Plan (RNP) to East Hampshire District Council (EHDC).

Regulation 15(1)(d) of the Neighbourhood Planning (General) Regulations 2012, states that when a Plan proposal is submitted to the local planning authority it must include a statement explaining how the proposed Neighbourhood Plan meets the requirements of paragraph 8 of Schedule 4B to the Town & Country Planning Act 1990 (TCPA).

Schedule 4B is inserted into the TCPA by section 116 of, and Schedule 10 to, the Localism Act 2011. It applies to Neighbourhood Development Orders, but paragraph 8 of Schedule 4B is also applied - with some modifications - to Neighbourhood Plans, by section 38A(3) of the Planning and Compulsory Purchase Act 2004 (PCPA). (Sections 38A-38C are inserted into the PCPA by paragraph 7 of Schedule 9 to the Localism Act 2011.)

The relevant parts of paragraph 8 of Schedule 4B are as follows:

**Paragraph 8(1):** The Examiner carrying out the independent examination of a Neighbourhood Plan must consider:

- a) Whether the draft Neighbourhood Plan meets the basic conditions (see paragraph 8(2)).
- b) Whether the draft Neighbourhood Plan complies with the provisions of sections 38A and 38B PCPA.
- c) Whether the area for any referendum should extend beyond the neighbourhood area to which the draft Neighbourhood Plan relates.

**Paragraph 8(2):** A draft Neighbourhood Plan meets the basic conditions if:

- a) It aligns with national policies and advice contained in guidance issued by the Secretary of State.
- 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 (or any part of that area).
- d) 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 (or any part of that area).
- e) The making of the Neighbourhood Plan does not breach, and is otherwise compatible with, EU obligations.
- f) It meets the prescribed condition added by Regulation 32 and Schedule 2 of the Neighbourhood Planning (General) Regulations 2012.

The making of the Neighbourhood Plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2017), or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007 (either alone or in combination with other plans or projects).

**Paragraph 8(6)** states that the Examiner is not to consider any matter that does not fall within paragraph 8(1), apart from considering whether the draft Plan is compatible with the Convention rights, as defined in the Human Rights Act 1998.

The purpose of this statement is to demonstrate to the Examiner that the Ropley Neighbourhood Plan meets the above requirements and conditions.

Section 2 will explain how the requirements of paragraph 8(1) are met (apart from paragraph 8(1)(a)). Section 3 will explain how the basic conditions (paragraphs 8(1)(a) and 8(2)) are met. Section 4 will explain how the Neighbourhood Plan is compatible with the Convention rights.

## 2. Compliance with paragraph 8(1)

### Whether the draft Neighbourhood Plan complies with sections 38A and 38B of the Planning and Compulsory Purchase Act 2004

The relevant parts of sections 38A and 38B are as follows:

**s.38A(1):** *Any qualifying body is entitled to initiate a process for the purpose of requiring a local planning authority in England to make a neighbourhood development plan.*

Ropley Parish Council is a qualifying body and therefore authorised to submit the Ropley Neighbourhood Plan. The neighbourhood area consists of the majority of the parish of Ropley, excluding three small areas, as shown on page 6 of the Neighbourhood Plan. These small areas, have been excluded because they are inside the South Downs National Park (SDNP) and would require the Neighbourhood Plan to be adopted by two planning authorities, thus considerably increasing the complexity of the process (s.61F(1) TCPA / S.38C(2)(a) PCPA). The neighbourhood area was designated by EHDC in March 2015.

**3.38A(2):** *the Neighbourhood Plan sets out policies only (however expressed) in relation to the development and use of land in the whole or any part of a particular neighbourhood area specified in the plan.*

Ropley Neighbourhood Plan only contains policies relating to the use and development of land within the designated neighbourhood area.

**s.38B(1):** *A Neighbourhood Plan -*

- a) Must specify the period for which it is to have effect,*
- b) May not include provision about development that is excluded development, and*
- c) May not relate to more than one neighbourhood area.*

The Neighbourhood Plan states in the introduction that it covers the period from 2018 to 2028. The dates are also on the front cover of the Plan.

Excluded development includes development defined as a county matter, mainly involving mineral extraction and waste development, and nationally significant infrastructure projects (s.38B(6) / s.61K PCPA, as inserted by Schedule 9 Localism Act 2011). There is no provision for such development in the Neighbourhood Plan.

The Neighbourhood Plan relates solely to the designated neighbourhood area.

**s.38B(2):** *Only one neighbourhood plan may be made for each neighbourhood area.*

There are no other Neighbourhood Plans in place for the Ropley neighbourhood area.

**s.38B(3):** *If to any extent a policy set out in a neighbourhood plan conflicts with any other statement or information in the plan, the conflict must be resolved in favour of the policy.*

There are no conflicts in the Neighbourhood Plan between policies and other text. In the event that a conflict becomes apparent, it is accepted that the policy will take precedence.

### Whether the Referendum area should extend beyond the neighbourhood area

The Government's Planning Practice Guidance (paragraph 059, ref ID: 41-059-20140306) states that it may be appropriate to extend the Referendum area where the scale or nature of the proposals in the draft Neighbourhood Plan are such that they will have a substantial, direct and demonstrable impact beyond the neighbourhood area. The Parish Council does not consider extension of the Referendum area to be appropriate or necessary.

## 3. Meeting the Basic Conditions (paragraph 8(2))

### National policies and advice

The Examiner will consider whether it is appropriate to make the Plan, regarding to national policies and advice. National planning policy is set out in the National Planning Policy Framework (NPPF), published in March 2012 and advice is provided in the online Planning Practice Guidance (PPG) published in March 2014 and updated from time to time. The Government issued a revised NPPF on 24<sup>th</sup> July 2018. However, under the provisions of Paragraph 214 of the new Framework the plan will be examined against the provisions of the 2012 version so long as the plan is submitted under Regulation 15 by or on 24<sup>th</sup> January 2019.

The NPPF provides a framework within which local people and their accountable councils can produce their own distinctive Neighbourhood Plans, which reflect the needs of their communities (paragraph 1), and the NPPF must be considered in the preparation of Neighbourhood Plans (paragraph 2).

At the heart of the NPPF is the presumption in favour of sustainable development which is to be seen as the golden thread running through both plan-making and decision-taking (paragraph 14). This means that Neighbourhood Plans must support the strategic development needs set out in Local Plans, including policies for housing and economic development; and must plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the Local Plan (paragraph 16).

Paragraphs 183 – 185 contain specific advice about the preparation of Neighbourhood Plans. This section of the NPPF outlines how neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and deliver the sustainable development that they need. It reiterates the requirement for Neighbourhood Plans to be in general conformity with the strategic policies of the Local Plan, to reflect those policies and not to promote less development than set out in the Local Plan.

Further guidance is given in the PPG. This includes advice about the need for Plans to be supported by proportionate robust evidence, for local planning authorities to share relevant evidence (Paragraph 040, Reference ID: 41-040-20140306), and for policies to be clear and unambiguous and drafted with sufficient clarity for a decision maker to apply them consistently and with confidence when determining planning applications. Policies should be concise, precise and supported by robust evidence and reflect the unique characteristics of the neighbourhood area (Paragraph 041, Reference ID: 41-041-20140306).

Paragraph 17 of the NPPF sets out 12 core land-use planning principles that should underpin both plan-making and decision-taking and therefore apply to the making of Neighbourhood Plans. The core principles are expanded on in the remaining chapters of the NPPF.

### **Core land-use principles**

1. Be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future of the area. Plans should be kept up-to-date and be based on joint working and co-operation to address larger than local issues. They should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency.
2. Not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives.
3. Proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities.
4. Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
5. Take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it.
6. Support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example, by the development of renewable energy).
7. Contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should prefer land of lesser environmental value, where consistent with other policies in this Framework.
8. Encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value.

9. Promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation, carbon storage, or food production).
10. Conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.
11. Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.
12. Take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.

The table below shows how the Parish Council has taken account of the relevant policies and guidance in preparing the Neighbourhood Plan. It matches each part of the Plan against the appropriate underpinning core principle(s) and other relevant NPPF paragraphs.

| Neighbourhood Plan                           | Core Planning Principle | NPPF Paragraph               | Comment  |
|--|-------------------------|------------------------------|--|
| Whole Plan                                   |                         | 1                            | <p>The Parish Council has carried out a substantial consultation and developed a vision for the parish that reflects the wishes of the community as a whole.</p> <p>Policies have been drafted with the advice of a professional planning consultant and in close liaison with EHDC.</p> <p>An extensive Evidence Base has been prepared including a report from AECOM consultants covering the housing needs assessment over the next 10 years.</p>   |
| Policy RNP1: Settlement and Coalescence Gaps | 1,5,7,9,11,12           | 73,78,109,114,117,118,165    | <p>As a parish Ropley is made up of different settlements, with their own identities, which are divided by open spaces. To preserve the unique nature of the parish the open spaces between the different parts of the parish have been identified as Settlement and Coalescence Gaps to prevent Ropley merging with other local villages, which would eventually risk development of a single larger settlement. This preserves the distinct nature of each village as a separate entity.</p> <p>The Settlement and Coalescence Gaps incorporate land that is rich in wildlife, including both open spaces and woodlands. Consequently, they will continue to promote retention of biodiversity, conservation of natural habitats for wild animals and birds; including wildlife corridors.</p> |
| Policy RNP 2: Settlement Policy              | 2,3,5,7,9, 11           | 53,61,73,109,114,117,118,165 | The settlement policy boundary shows the distinction between the built edge of a settlement and the open countryside. It is  |

| Neighbourhood Plan   | Core Planning Principle | NPPF Paragraph                | Comment   |
|--|-------------------------|-------------------------------|---|
| Boundaries   |                         |                               | <p>presumed any development will take place within the settlement boundary. This is designed to protect the character and nature of the surrounding countryside, thereby conserving the natural environment.</p> <p>By protecting the countryside, it enables residents and visitors continued enjoyment of the open spaces for walking and horse riding, which enhances health, wellbeing and attracts visitors thereby supporting the rural economy.</p> <p>In drawing up the settlement policy boundaries it is recognised some dwellings are known to have part of their curtilages outside the SPB. This approach has been maintained, and where appropriate extended, in the plan to prevent backland house building which could be harmful to the character of the area.</p> |
| Policy RNP 3<br>Vistas and<br>Visual<br>Prominence           | 5,7                     | 61,73,109,110,114,115, 165    | <p>The majority of Ropley village is built on land that falls between ridges of high ground, which means that settlements are in the main quite well hidden. Three sides of the village are surrounded by the SDNP.</p> <p>This affords extensive unbroken views into and out of the village. Any development within these vistas would obstruct or be detrimental to the vistas.</p> <p>Preserving the vistas and preventing development that would interfere with the unimpeded views will protect the intrinsic beauty of the countryside in and around Ropley, which local people have identified as being so important.</p>  |
| Policy RNP 4:<br>Trees,<br>Hedgerows,<br>Verges and<br>Banks | 5,7,9.                  | 58,61,109,114,117,<br>118,165 | <p>Ropley is well wooded with a number of small copses; some trees have preservation orders and hedges date back many centuries.</p> <p>The native trees and hedgerows in the area covered by the plan not only add to the vistas but are also of ecological value, providing diverse natural habitats for animals and birds and wildlife corridors; habitats we want to sensitively protect.</p> <p>Wide verges are a characteristic of the village that once again preserve open spaces, enhance views and a feeling of space; much admired by local people and those who visit the village. The nature and characteristics of these features encourage people to get out and enjoy them.</p> <p>The banks are generally integral to the</p>                                      |

| Neighbourhood Plan            | Core Planning Principle | NPPF Paragraph        | Comment  |
|-------------------------------|-------------------------|-----------------------|--|
|                               |                         |                       | <p>sunken lanes and often topped by the hedges.</p> <p>The trees, hedgerows, verges and banks are characteristic of the locality and we wish to preserve them from damage and destruction. Supporting sustainable planning within the RPSNP means these important characteristics will remain a part of Ropley's future.</p>   |
| Policy RNP 5:<br>Narrow Lanes | 1,5,7,9,11,12           | 35, 53, 61,73,109,165 | <p>Narrow lanes are a feature of Ropley, many of which date back to medieval, Saxon and even prehistoric times. In the 2006 Village Design Statement a significant majority of residents called for these lanes to be protected, so the Neighbourhood Plan seeks to preserve them for future generations. They are a distinctive feature of the locality's character that the community wishes to preserve</p> <p>As the narrow lanes generally experience light traffic, they are used by walkers, cyclists and horse riders because of their relative safety.</p> <p>If the lanes were to be widened, as a result of development, this would increase the risk to local people using the lanes. Therefore, sustainable development has been planned away from narrow lanes to prevent an increase in traffic, carbon emissions and pollution, which promotes continuing use of the lanes for walking, cycling and horse-riding.</p>  |
| Policy RNP 6:<br>Sunken Lanes | 5,7,9,11,12             | 32,53,61,73,109,165   | <p>Sunken lanes are a particular historical feature of Ropley and to preserve their integrity development has been restricted along these lanes. They are a distinctive feature of the locality's character that the community wishes to preserve. Access is restricted to those already established, to protect the nature of the sunken lanes and hedges and trees on either side.</p> <p>As the sunken lanes are also narrow, they generally experience light traffic, which means walking, cycling and horse riding is relatively low risk). If the sunken lanes were to be lost due to development, it would increase traffic. This will require passing places that destroy the banks of these features, which provide natural habitats for wildlife that we want to conserve. Increased traffic also reduces the safety of the lanes for walkers, cyclists and horse-riders.</p> <p>Therefore, sustainable development has been planned away from sunken lanes to</p> |

| Neighbourhood Plan                 | Core Planning Principle | NPPF Paragraph                    | Comment  |
|------------------------------------|-------------------------|-----------------------------------|--|
|                                    |                         |                                   | prevent an increase in traffic, carbon emissions and pollution, which promotes ongoing use of the lanes for walking, cycling and horse-riding.   |
| Policy RNP 7: Construction Traffic | 3,4,5,7,                | 32,109                            | <p>All lanes in Ropley are narrow and provide the only access for construction vehicles. At the centre of the village is a primary school.</p> <p>Best practice would be to encourage the development of Construction Environment Management Plans. This would ensure restrictions on the size of vehicles used, timing of deliveries and avoiding peak congestion times during the day.</p> <p>Mud must be removed from the roads and reparation made to any damaged verges etc so that the nature of the village is protected, the environment conserved and protected from contamination and pollution.</p>   |
| Policy RNP 8: Local Green Spaces   | 5,7,9,11,12             | 61,73,75-78, 109,114, 117,118,165 | <p>The NPPF empowers neighbourhood plans to designate areas of local importance as Local Green Space.</p> <p>Farmland penetrates into the centre of the village, which is an inherent part of the village's rural character and of historical interest, whilst some of the land has recreational value as well as providing views to the open countryside.</p> <p>Five local green spaces have been designated in the RNP, in reasonably close proximity to the community they serve. These local green spaces have local significance and are demonstrably special to the community.</p> <p>Some of this land is accessible by footpaths, which enables walking and horse riding, immediate access to the countryside for those who may be less able to walk long distances and attracts visitors who contribute to the local economy. They protect the countryside and natural habitat of wild animals and birds, bringing wildlife to the centre of the village.</p> <p>Development of these Local Green Spaces will not be permitted except in very special circumstances.</p> |
| Policy RNP 9: Built Heritage       | 1,2,4,5,10              | 28,58,70,126-141                  | The Policy seeks to protect the settings of the 44 nationally Listed Buildings and tombs in the Parish and also the settings of the buildings within Ropley's two Conservation Areas (which include many of the Listed Buildings).   |

| Neighbourhood Plan                              | Core Planning Principle | NPPF Paragraph                      | Comment   |
|---|-------------------------|-------------------------------------|---|
|   |                         |                                     | The Policy identifies 28 further buildings and structures that, whilst not of sufficient special or historical interest to warrant designation as listed buildings, have a distinct and valued local character and/or appearance that are worthy of retention.  |
| Policy RNP 10: Nature Conservation              | 1,5,7                   | 99,109,113,114,117,118              | The Policy identifies and protects wildlife corridors and stepping stones which link designated wildlife sites within Ropley. The Policy identifies three such areas, which are referred to as 'Local Nature Conservation Networks'. Ropley already has eight Sites of Importance for Nature Conservation (SINCs)   |
| Policy RNP 11: Rights of Way                    | 1,2,3,6,7,11,12         | 29,30,32,35,41,75                   | The Policy seeks to protect and enhance existing rights of way by requiring development on land crossed by, or adjacent to, a right of way, to provide appropriate sight lines, replace stiles with gates and provide a suitable surface treatment on the right of way with a minimum width of 1.2m.  |
| Policy RNP 12: Impact of New Development        | 1,2,4,5                 | 56-61, 63,64,66<br><br>47<br><br>62 | Policy RNP 12 states that new development should contribute positively to the public realm and sense of place. It should not cause significant harm to the amenities of neighbouring properties. The scale, massing, height, density and design of a development must be appropriate to its context, including the architecture and materials of nearby buildings. The Policy acknowledges the variety of styles in Ropley and does not insist on a prescriptive or detailed design code.<br><br>Density is site-specific<br><br>Policy RNP 12 draws on the Village Design Statement  |
| Policy RNP 13: Design and Height of New Housing | 1,2,4,5                 | 56-61,63, 64<br><br>47<br><br>62    | Policy RNP 13 states that new housing developments comprising more than one property should incorporate variations in design and/or visible materials such that no more than two dwellings are identical. Variations can be relatively small and do not need to undermine a theme or style running throughout the development; all visible materials must be in keeping with neighbouring properties.<br><br>Existing housing in Ropley is of low density and predominantly of two storeys. Policy 13 states that new dwellings should be single or two storey and their mass should be compatible with neighbouring development. Density of new development proposed in the Plan is, in effect, site-specific; any new development on further sites must be in keeping with the density of the surrounding area. |

| Neighbourhood Plan                             | Core Planning Principle | NPPF Paragraph                       | Comment  |
|--|-------------------------|--------------------------------------|--|
|  |                         |                                      | Policy RNP 13 draws on the Village Design Statement  |
| Policy RNP 14: External Materials              | 1,2,4,5                 | 58-61<br><br>62                      | <p>Policy RNP 14 seeks to integrate new development visually with existing buildings. External materials must be in keeping with those used on adjacent buildings, though modern materials, which give the same visual appearance as traditional materials, will be allowed.</p> <p>Consideration must be given to the character and appearance of adjacent Listed Buildings and Conservation Areas. All development in and adjacent to the Conservation Area should be carried out in conjunction with, when prepared, the Conservation Area Appraisal and/or Conservation Area Management Plan.</p> <p>Policy RNP 14 draws on the Village Design Statement</p> |
| Policy RNP 15: Driveways and Parking           | 1,2,4,5,6               | 58-61<br><br>94,99,100,103<br><br>62 | <p>Policy RNP 15 states that driveways and parking should comprise of permeable materials wherever possible.</p> <p>Permeable surfaces blend with Ropley's rural environment in contrast to the more urban feel of tarmac and concrete surfaces.</p> <p>Sustainable drainage, including permeable surfaces, helps to reduce any surface water run-off and flooding risk associated with new development.</p> <p>Policy RNP 15 draws on the Village Design Statement</p>  |
| Policy RNP 16: Extensions and New Outbuildings | 1,2,4,5                 | 56-61<br><br>62                      | <p>Policy RNP 16 stipulates that extensions, garages and outbuildings requiring planning permission should be of proportionate size, be carefully sited and use a design and materials, which are in keeping with its associated residential building. This is to minimise visual intrusion and avoid adversely impacting the character of an area.</p> <p>Policy RNP 16 draws on the Village Design Statement</p>   |
| Policy RNP 17: Light Policy                    | 5,7                     | 125                                  | The Policy seeks to limit the impact of light pollution from artificial light in an area that also has very low levels of noise pollution and where the community values its tranquility.  |
| Policy RNP 18: Amount of New Housing           | 1,2,3,4,7,8             | 47,48,49,50,151,157,158,159          | Ropley Parish Council has objectively assessed the need for new housing and for housing mix through a report commissioned from AECOM in June 2016: Housing Needs   |



| Neighbourhood Plan                             | Core Planning Principle | NPPF Paragraph | Comment   |
|--|-------------------------|----------------|---|
|  |                         | 110,113        | Site selection and prioritisation have scored sites with the least environmental or amenity value and considered the protection of biodiversity.                                  |
| Policy RNP 22: Occupancy Restriction           | 1,2,3,12                | 50,69          | The Policy is part of a wider effort to promote a healthy, inclusive community that is sustainable and meets local needs.   |
| Policy RNP 23: Protecting Community Facilities | 3,5,10                  | 28,70          | The policy promotes the retention of community facilities.  |
| Policy RNP 24: New Community Land              | 9,12                    | 69,70,73       | The Policy provides for a safe and accessible community meeting space. The future use of this space will be decided by the Parish Council after the land is gifted to the Parish. |

## Sustainable Development

Resolution 42/187 of the United Nations General Assembly defined sustainable development as **meeting the needs of the present without compromising the ability of future generations to meet their own needs.**

There are three dimensions to sustainable development: economic, social and environmental (paragraph 7, NPPF). The three dimensions are mutually dependent. Ropley abuts with Winchester District on its western boundary and to the south and east with the SDNP. The village comprises several settlements:

- Neighbourhood Zone 1 – The Village Centre
- Neighbourhood Zone 2 – Gascoigne Lane
- Neighbourhood Zone 3 – Ropley Dene
- Neighbourhood Zone 4 – Monkwood, Charlwood, and Lyeway
- Neighbourhood Zone 5 – Stapley Lane and Parkstone Road
- Neighbourhood Zone 6 – Lower Petersfield Road

To keep these separate from each other, and from Four Marks and Alresford, the areas between are to be designated ‘Settlement and Coalescence Gaps’. Ropley’s landscape is attractive with elevated viewpoints offering panoramic views. Most development is hidden from view so the building of new homes may have an impact on the designated area. However, new homes will provide social and economic benefits to the community. The need to balance the dimensions of sustainability is recognised in the Plan’s Vision:

‘The parish of Ropley will continue to retain its character and identity comprising a central core community surrounded by a number of discrete settlements set in a rural landscape. New housing of a type and size to meet the needs of those who currently or have previously lived within the parish will be supported by the careful siting of new homes and other facilities so they are integrated sympathetically into the built environment and landscape’.

The NPPF states at paragraph 6 that the purpose of the planning system is to contribute towards the achievement of sustainable development and that the policies in paragraphs 18 to 219, taken as a whole, constitute the Government’s view of what sustainable development means in practice for the planning system. The table above shows how the Neighbourhood Plan takes accounts of these policies and therefore how it contributes towards the achievement of sustainable development.

In scoping the initial Ropley Neighbourhood Plan the Parish Council agreed that the scope would be simplified and should concentrate on housing and its associated infrastructure (policies 16–19, 22, 23). The Plan does not seek to deal with employment development, but there will be jobs created through the delivery of new housing and in that regard will be contributing to the **economic** role in terms of sustainable development.

To meet the **social** element of sustainable development, the Plan helps to maintain a strong, vibrant and healthy community, by planning positively to supply housing to meet the needs of the parish up to 2028; locating new development where it relates well to the built up area, transport links; school, shop, church, parish hall and recreation facilities; requiring a high standard of design to create a high-quality built environment, and by protecting community leisure and recreation facilities while encouraging new community land (policies 3–15, 20, 21).

To meet the **environmental** element of sustainable development, the Plan aims to protect and enhance the natural and built environment by protecting the countryside from inappropriate development; supporting low carbon travel methods and improving biodiversity (policies 1–3, 12–14, 20, 22)

Further details are provided in the Strategic Environment Assessment. While there is no legal requirement for a Neighbourhood Plan to have a Strategic Environment Assessment, the Parish Council was informed by EHDC that one would be required for Ropley parish. This was commissioned and carried out by the consultants AECOM and the report published in January 2018.

A scoping report was done by AECOM for the SEA report and sent to the Stat Consultees. We took their comments and the recommendations from AECOM within the SEA report into account during the drafting of the policies.

During the site assessment process, the proposed sites were tested against sustainability objectives; distance from the shop, village school and bus service, visual sensibility, landscape character, experiential qualities and landscape value. Thus, the Sustainability Appraisal demonstrates that the Plan contributes to the achievement of sustainable development.

### General conformity with the Development Plan

The Neighbourhood Plan must be in general conformity with the strategic policies contained in the Development Plan for the area. Strategic policies are those that set out how the local authority will deliver the homes, facilities and infrastructure for the area (NPPF, paragraph 156). To be in general conformity, the Neighbourhood Plan’s policies must support and uphold the general principle that the strategic policies are concerned with. They may provide an additional level of detail or local approach but should not undermine strategic policies (PPG Paragraph: 074 Reference ID: 41-074-20140306, NPPF paragraph 184).

## East Hampshire District Local Plan: Joint Core Strategy

The adopted Development Plan is the East Hampshire District Local Plan: Joint Core Strategy 2014, adopted by EHDC on 8 May 2014 and by the South Downs National Park Authority on 26 June 2014.

Saved Policies. The Local Plan: Second Review was adopted at the end of March 2006 and remains part of the Development Plan. Many of the Second Review Local Plan's policies have been superseded by policies in the Local Plan: Joint Core Strategy. Some policies were removed from 1 April 2009 by the Government Office for the South East. The remaining Local Plan policies will continue to be saved until they are replaced by the new Local Plan.

The NPPF takes precedence over the Local Plan where there is a conflict.

### Local Plan Review: 2017-2036

New Government planning rules say all Local Plans must be reviewed every five years, meaning EHDC's current local plan will be due for review by May 2019.

EHDC has therefore commenced work on a Local Plan Review. The Local Plan Review will replace the JCS, Housing and Employment Allocations (JCS Part 2) and also include what was originally intended to be Part 3 of the JCS dealing with development management policies.

The New Local Plan, covering 2017-2036 will set the vision and framework for future development of the district outside of the SDNP, until 2036. This will include identifying local housing need and addressing economic, and environmental considerations, as well as strategic and community infrastructure needs. The plan will make site specific allocations to meet identified need and provide detailed topic policies to guide future planning applications (which will be a single document and replace all the current development plan documents).

Therefore, this will be a single, whole new Local Plan with a plan period of 2017-2036. EHDC currently expects to publish a draft version of the new Local Plan for consultation in January 2019, followed by Regulation 19 consultation commencing in June 2019. However, this is emerging policy and the basic conditions test requires general conformity with the strategic policies of the **adopted Local Plan**.

**The table below shows how each Ropley Neighbourhood Plan policy is in general conformity with the policies of the East Hampshire District Local Plan: Joint Core Strategy 2014.**

| Neighbourhood Plan | East Hampshire District Council Local Plan Joint Core Strategy 2014 (JCS) | Ropley Pre-Submission Neighbourhood Plan (RPSNP)  |
|--------------------|---|---|
| Whole Plan         |   | <p>The Neighbourhood Plan has been drafted to align with the Joint Core Strategy 2014 (JCS).</p> <p>Policies have been drafted with the advice of a professional planning consultant and in close liaison with EHDC.</p> <p>An extensive Evidence Base has been prepared including a report from AECOM consultants covering the housing needs assessment over the next 10 years and the Strategic Environmental Assessment, also produced by AECOM.</p> |

| Neighbourhood Plan                                  | East Hampshire District Council Local Plan Joint Core Strategy 2014 (JCS) | Ropley Pre-Submission Neighbourhood Plan (RPSNP)   |
|---|---|--|
| Policy RNP 1:<br>Settlement and<br>Coalescence Gaps | Policy CP2, CP10, CP19, CP20, CP23, CP28                                  | <p>There are many references to settlement gaps within the EHDC JCS, ensuring a balance between new development and protection of the environment (2.3), especially for future generations. Significant to Ropley is the need to adopt Settlement and Coalescence Gaps that sustain a separate identity to the village and prevent it from merging with other local villages. Consequently, there is consensus among the views of Ropley residents with those expressed in the Habitat Regulations Assessment in the JCS (1.18) around the need to protect Settlement and Coalescence Gaps.</p> <p>The inclusion of Settlement and Coalescence Gaps in the RNP therefore supports the views of Ropley residents who want to maintain the individual character and identity (3.21) of Ropley and neighbouring villages and maintain a sense of place when walking, cycling or driving through it (7.29).</p> <p>Ropley residents are also aware of the need to conserve and enhance national habitats whilst creating networks of habitats and wild life corridors (17). Settlement and Coalescence Gaps offer these types of protection.</p> |
| Policy RNP 2:<br>Settlement<br>Policy<br>Boundaries | CP6, CP10, CP19   | <p>As the countryside is under pressure to meet a range of demands (7.5, CP6, 7.7) it is felt essential to include a settlement boundary policy in the RPSNP. This restricts any future development to within the settlement boundaries.</p> <p>Ropley is however located in a rural location and there is a recognised need to support and sustain agricultural enterprise and to maximise the opportunities to strengthen the rural economy (7.5, CP6,7.7).</p> <p>Where new residential development is not normally permitted outside of settlement policy boundaries (6.4) it is acknowledged in Ropley there will be some exceptions to development within the countryside eg. those with a genuine and proven need for a countryside location, necessary for farming, forestry or other rural enterprises. These will be subject to stricter planning policy H3 and H12 in the JCS.</p>  |
| Policy RNP 3:<br>Vistas and<br>Visual<br>Prominence | CP9, CP20   | <p>Ropley affords extensive views into and out of the village and as it lies adjacent to the SDNP the significance of these views is all the more important. In recognising the value of the National Park, the JCS states further development in settlements should consider their relationship with the SDNP (2.13). Consequently, the RPSNP is keen to maintain the vistas and visual prominence already afforded by Ropley.</p> <p>The JCS recognises the value of tourism to the</p>  |

| Neighbourhood Plan                               | East Hampshire District Council Local Plan Joint Core Strategy 2014 (JCS) | Ropley Pre-Submission Neighbourhood Plan (RPSNP)   |
|--|---|--|
|  |   | <p>local economy and keen to maximise sustainable tourism whilst minimising environmental impacts (3.3). As a village Ropley sees many groups of walkers and cyclists visit from outside the village, seeking the open spaces and vistas. They contribute to supporting the economy by visiting the village shop whilst those holidaying in the area stay in holiday accommodation.</p> <p>Wishing to protect the vistas and visual prominence within Ropley the RPSNP is trying to sustain the predominantly underdeveloped countryside (7.31) and the quality of the landscape (3.20) which is so important to local people and those who visit from further afield.</p>   |
| Policy RNP 4: Trees, Hedgerows, Verges and Banks | CP20, CP21  | <p>The JCS is keen to protect trees, woodland and hedgerows (CP20) which are a key feature in Ropley. By including this policy, it aligns the RPSNP closely with those of the JCS.</p> <p>The trees, hedgerows, verges and banks in Ropley provide wildlife corridors that are rich in biodiversity. The policy aims to safeguard these sites of local value to wildlife (CP21) as it is important we prevent fragmentation of such important habitats (CP21).</p> <p>The retention of old trees, hedgerows, verges and banks are of historical interest; an important characteristic of the landscape (3.20, 7.4, CP20), which Ropley residents wish to retain.</p>   |
| Policy RNP 5: Narrow Lanes                       | CP20  | <p>The narrow lanes are an important characteristic of Ropley (CP20). They have relatively low vehicular movements and consequently promote walking, cycling and horse-riding (8.16) in a relatively risk-free environment. Not only is this good for recreational use but it enables non-vehicular access for those who want to walk to the shop, church or school.</p> <p>Retaining the narrow lanes is part of encouraging healthy lifestyle choices, including opportunities to increase levels of activity (Objective 12) and enhance wellbeing (Objective 7).</p> <p>The JCS promotes protection of rural/green lanes so that their convenience and safety is enhanced for users (CP31), which this policy seeks to support.</p> |
| Policy RNP 6: Sunken Lanes                       | CP18, CP20, CP21  | <p>Sunken lanes are another important characteristic (CP20) of the landscape in and around Ropley; a feature that the JCS aims to see protected (CP20). The protection of these lanes also links very closely with policy 4 above as many of the hedges sit on top of the banks of the sunken lanes. If the sunken lanes are not protected and the banks increasingly breached to enable access to new development, wildlife corridors will be broken and the outcome</p>  |

| Neighbourhood Plan                            | East Hampshire District Council Local Plan Joint Core Strategy 2014 (JCS) | Ropley Pre-Submission Neighbourhood Plan (RPSNP)   |
|---|---|--|
|   |   | <p>have an overall negative impact on local wildlife and diversity. The JCS wants to protect the ecological landscape of these environments (CP31) so policy 6 is included in the RPSNP as it has been identified as important by Ropley residents and aligns with the JCS.</p>  |
| <p>Policy RNP 7:<br/>Construction Traffic</p> | <p>CP31</p>   | <p>To prevent development resulting in unacceptable levels of noise and pollution (21) Construction Environment Management Plans must be developed that restrict the size of vehicles used, timing of deliveries avoiding eg school drop off and pick up periods, excessive noise, maintain access for disabled adults and children etc.</p> <p>As many of the lanes in Ropley are narrow and/or sunken it is important that their convenience and safety are protected (CP31) during periods of construction. This policy has been included as part of the RPSNP to support the JCS and prevent oversized vehicles from using the narrow lanes, destroying the banks at passing places, hedgerows when turning and to prevent increasing risk for walkers, cyclists and horse riders.</p> <p>Aligned with the JCS requirement one of the advantages of the RPSNP is that the new housing development has been located near to the existing centre of the village (CP31). This is aimed at preserving as much of the rural tranquility of the village as possible (8.20)</p> |
| <p>Policy RNP 8:<br/>Local Green Spaces</p>   | <p>CP 18, CP20, CP21</p>  | <p>A unique characteristic of the village (3.2) are the green corridors that penetrate into the village, which separate the six main settlements. To preserve this feature five local spaces have been designated as local green spaces.</p> <p>Irrespective of age and disability, access to open spaces is available (3.12) to the residents of Ropley, which enhances quality of life (Objective 7). The local green spaces promote a safe and healthy life (6.53) and in turn provide opportunities to improve physical fitness and wellbeing (CP18).</p> <p>The local green spaces also safeguard sites of local value to wildlife that act as wildlife corridors, thereby preventing fragmentation of habitats and enabling public access to the designated sites (CP21).</p>  |
| <p>Policy RNP 9:<br/>Built Heritage</p>       | <p>CP29, CP30</p>   | <p>The Policy seeks to protect the settings of the 44 nationally Listed Buildings in the Parish and also the settings of the buildings within Ropley's two Conservation Areas (which include many of the Listed Buildings). The Plan provides for the Parish Council to press EHDC to extend the boundaries of the existing Conservation Areas, which have not been reviewed for more than 40 years. The Policy identifies 28 further buildings and structures that,</p>   |

| Neighbourhood Plan                             | East Hampshire District Council Local Plan Joint Core Strategy 2014 (JCS) | Ropley Pre-Submission Neighbourhood Plan (RPSNP)  |
|--|---|---|
|  |   | <p>whilst not of sufficient special or historical interest to warrant designation as listed buildings, have a distinct and valued local character and/or appearance that are worthy of retention.</p> <p>This policy is in accordance with CP30 of the JCS which requires all new development to conserve, enhance, maintain and manage the District's heritage assets and their settings including listed buildings, Conservation Areas, Scheduled Ancient Monuments, archaeological sites and Historic Parks and Gardens.</p>   |
| Policy RNP 10:<br>Nature<br>Conservation       | 1.4,2.5,3.15,3.17,3.19,4.1,7.13,7.14-7.20<br>CP20, CP21, CP 28            | <p>The Policy identifies and protects wildlife corridors and stepping stones which link designated wildlife sites within Ropley. The Policy identifies three such areas, which are referred to as 'Local Nature Conservation Networks'. Ropley already has eight Sites of Importance for Nature Conservation (SINCS).</p> <p>This policy is in accordance with CP21 of the JCS, which requires new development to contribute towards maintaining a District-wide network of local wildlife sites, wildlife corridors and stepping stones between designated sites and other areas of biodiversity value or natural green space.</p>   |
| Policy RNP 11:<br>Rights of Way                | CP20, CP28, CP31  | <p>The Policy seeks to protect and enhance existing rights of way by requiring development on land crossed by, or adjacent to, a right of way to provide appropriate sight lines, replace stiles with gates and provide a suitable surface treatment on the right of way with a minimum width of 1.2m.</p> <p>This policy is in accordance with CP31 of the JCS which states that new development should be located and designed to reduce the need to travel and, furthermore, that walking and cycling need to be promoted as a means of access to jobs, facilities and services and as a recreational opportunity. CP31 seeks to protect and provide safe and convenient cycle and pedestrian links that integrate with existing networks.</p> |
| Policy RNP 12:<br>Impact of New<br>Development | CP27, CP29  | <p>Policies RNP 12-16 build on the foundation of CP29 by setting out detailed requirements for the design and materials of new development in Ropley. The policies have drawn on the Village Design Statement.</p> <p>Policy RNP 12 states that new development should contribute positively to the public realm and sense of place. It should not cause significant harm to the amenities of neighbouring properties. The scale, massing, height, density and design of a development must be appropriate to its context, including the architecture and materials of nearby buildings.</p> <p>This is in accordance with CP29 of the JCS which</p>  |

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|--|---|---|
|  |   | <p>requires all new development to respect the character, identity and context of the District's towns, villages and countryside, and requires new development to use exemplary standards of design and architecture with a high-quality external appearance that respect the area's particular characteristics.</p> <p>The policy is also in accordance with the Village Design Statement.</p>   |
| <p>Policy RNP 13:<br/>Design and Height of<br/>New Housing</p> | <p>CP20, CP29</p>   | <p>Policy RNP 13 states that new housing developments comprising more than one property should incorporate variations in design and/or visible materials such that no more than two dwellings are identical. Variations can be relatively small and do not need to undermine a theme or style running throughout the development; all visible materials must be in keeping with neighbouring properties.</p> <p>Existing housing in Ropley is of low density and predominantly of two storeys. Policy RNP 13 states that new dwellings should be single or two storey and their mass should be compatible with neighbouring development. Density of new development proposed in the Plan is, in effect, site-specific; any new development on further sites must be in keeping with the density of the surrounding area.</p> <p>This is in accordance with CP29 of the JCS which requires all new development to respect the character, identity and context of the District's towns, villages and countryside, and requires new development to use exemplary standards of design and architecture with a high-quality external appearance that respect the area's particular characteristics.</p> <p>The policy is also in accordance with the Village Design Statement.</p> |
| <p>Policy RNP 14:<br/>External<br/>Materials</p>               | <p>CP20, CP29</p>   | <p>Policy RNP 14 seeks to integrate new development visually with existing buildings. External materials must be in keeping with those used on adjacent buildings though modern materials, which give the same visual appearance as traditional materials will be allowed. Consideration must be given to the character and appearance of adjacent Listed Buildings and Conservation Areas. All development in and adjacent to the Conservation Area should be carried out in conjunction with, when prepared, the Conservation Area Appraisal and/or Conservation Area Management Plan.</p> <p>This is in accordance with CP29 of the JCS which requires all new development to respect the character, identity and context of the District's towns, villages and countryside, and requires new development to use exemplary standards of design and architecture with a high-quality</p>  |

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|---|---|--|
|   |   | <p>external appearance that respect the area's particular characteristics.</p> <p>The policy is also in accordance with the Village Design Statement.</p>  |
| <p>Policy RNP 15:<br/>Driveways and Parking</p>           | <p>CP29, CP25</p>   | <p>Policy RNP 15 states that driveways and parking should comprise of permeable materials wherever possible.</p> <p>This is in accordance with CP29 of the JCS which requires all new development to respect the character, identity and context of the District's towns, villages and countryside; permeable surfaces blend with Ropley's rural environment in contrast to the more urban feel of tarmac and concrete surfaces. In addition, Policy 15 aligns with CP25 of the JCS which seeks to manage the risk of surface water flooding from new development.</p> <p>The policy is also in accordance with the Village Design Statement.</p>  |
| <p>Policy RNP 16:<br/>Extensions and New Outbuildings</p> | <p>CP20, CP29</p>   | <p>Policy RNP 16 stipulates that extensions, garages and outbuildings requiring planning permission should be of proportionate size, be carefully sited and use a design and materials which are in keeping with its associated residential building, in order to minimise visual intrusion and avoid adversely impacting the character of an area.</p> <p>This is in accordance with CP29 of the JCS which requires all new development to respect the character, identity and context of the District's towns, villages and countryside, and requires new development to use exemplary standards of design and architecture with a high-quality external appearance that respect the area's particular characteristics.</p> <p>The policy is also in accordance with the Village Design Statement.</p> |
| <p>Policy RNP 17:<br/>Light Policy</p>                    | <p>CP27</p>   | <p>The Policy aligns with EHDC CP27 in the JCS, which promotes development that restricts lighting to the minimum needed, minimises light spillage and takes account of aesthetic effects including appreciation of the night sky and seeks to protect the tranquility of areas such as Ropley with very low levels of ambient noise.</p> <p>Evidence Base includes CPRE map of light pollution showing how Ropley adjoins a larger dark sky area centred on the SDNP.</p>   |
| <p>Policy RNP 18:<br/>Amount of New Housing</p>           | <p>CP2, CP10, CP11, CP13, CP14</p>  | <p>Ropley Parish Council commissioned from AECOM in June 2016 a Housing Needs Assessment for the period to 2028, which was produced according to the PPG approach. AECOM assessed five different ways of projecting housing needs.</p>   |

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|---|---|---|
|   |   | <p>The RNP Steering Group aligned this projected range with EHDC CP2 Spatial Strategy under JCS and the emerging Joint Local Plan that prioritised strategic housing allocations at Whitehill and Borden and other towns and larger villages, and concluded that an additional need of 56 new units from April 2015 to 2028 should be used as a baseline for the RNP.</p> <p>However, the RNP Steering Group adjusted this need upwards to 68 units, which exceeds the EHDC allocation, to take account of consultation feedback from the 2015 residents' questionnaire that supported additional affordable/social housing and smaller homes.</p> <p>The Policy provides for a mix of housing that is consistent with the responses from consultation and the data provided by EHDC and HCC including 5 affordable properties to rent, 6 dwellings for sale at a discount, 3 market houses classed as enablers and 4 self-build plots.</p> <p>The Policy aligns with EHDC CP10 JCS, which states a requirement for 150 new dwellings, to be built in the villages north of SDNP, for the period to 2028 of which settlements of Ropley Dean and Ropley were expected to provide about 43 new dwellings.</p> <p>The Policy aligns with EHDC CP11 JCS, which projects the largest increase in households in future will be one or two-person households.</p> |
| Policy RNP 19:<br>Proposed Housing Site off Hale Close                    | CP4, CP10, CP11, CP13, CP14   | <p>The Policy is consistent with the need identified in the Hampshire Help to Buy South register of January 2017 for an additional 5 affordable homes to rent from people with an assessed local connection to Ropley.</p> <p>The Policy is consistent with the need identified in the Hampshire Home Choice register of January 2017 for an additional 5 affordable homes to rent by families with an assessed local connection to the parish.</p> <p>The Policy is consistent with EHDC CP10 and CP4 JCS that allows neighbourhood plans to exceptionally allocate sites outside of settlement boundaries for development of affordable housing where there is a proven local need. The Policy is also consistent with EHDC CP14 JCS that limits market housing to 30% of the total units in any such affordable homes development.</p> <p>The site is one of the top three scoring sites from the site assessment process.</p>   |
| Policy RNP 20:<br>Proposed Housing on the Site of the Former Chequers Inn | CP10, CP16  | <p>The Policy is consistent with EHDC CP16 JCS that allows redevelopment of former pubs or leisure assets where there is sufficient alternatives available and where sufficient time has passed to</p>  |

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|--|---|--|
|  |   | <p>determine there is no viable continuing leisure or cultural use.</p> <p>The site is one of the top scoring sites from the site assessment process.</p> <p>The Policy reflects strong local support as evidenced by 90% of the 355 respondents to the 2015 consultation expressing support for housing development on this site.</p>   |
| Policy RNP 21: Proposed Housing Site on the Petersfield Road | CP4, CP10   | The Policy to provide 4 units of self-build housing is consistent with the pro rata analysis of the EHDC self-build register and the proportion of Local Plan new housing that is projected by EHDC for Ropley among the villages north of the National Park (43 ex 150). The site is the highest scoring site from the site assessment process where the landowner supports self-build homes. |
| Policy RNP 22: Occupancy Restriction                         | CP10, CP14  | <p>The Policy is consistent with the Hampshire Home Choice (EHDC has adopted) agreed policy for determining village or local connection to Ropley and adjoining parishes.</p> <p>The Policy aligns with the EHDC self-build register in requiring applicants to be registered as a demonstration of an existing desire to self-build.</p>  |
| Policy RNP 23: Protecting Community Facilities               | CP16, CP17  | The Policy is consistent with EHDC CP16 JCS, which states existing use of community facilities should be retained unless improved facilities are needed or the existing facility is no longer required and CP17, which protects sports and recreation facilities from loss through development.  |
| Policy RNP 24: New Community Land                            | CP18  | The Policy is consistent with EHDC CP18 JCS, which provides for green space and sufficient community use and access when residential developments are approved.  |

### European Union obligations

#### ***The Strategic Environmental Assessment (SEA) Directive (2001/42/EC)***

This is incorporated into national law by the Environmental Assessment of Programmes and Plans Regulations 2004 and requires environmental assessment of Plans where they are likely to have significant environmental effects. The SEA must identify, describe and evaluate the effects of carrying out the Plan, and reasonable alternatives to it.

We recognised the need for completion of a Strategic Environmental Assessment following a meeting with Historic England, at which we discussed their specific concerns over site 28 and its proximity to the church and Conservation Area. The County Archaeologist was consulted and a letter from him is now included in the RNP Evidence Base. In an early version of the Plan, Natural England and The Environment Agency had expressed no concerns over any of

the potential sites submitted to them for pre-screening

This was also confirmed in a letter from EHDC, dated 26 July, 2017 in which the council screening determination was that an environmental assessment of the Ropley Neighbourhood Plan was required as the Plan is likely to give rise to significant environmental effects. The SEA was undertaken with timescales between the scoping report September 2017 and was delivered in January 2018. The SEA is a live document and will have to be updated following comments received from Regulation 14.

#### ***Habitats Directive (92/43/EEC) and Wild Birds Directive (2009/147/EC)***

These Directives are incorporated into national law by the Conservation of Habitats and Species Regulations 2010. The Directives aim to protect and improve Europe's most important habitats and species. They provide for the designation and protection of European sites. The Plan must be compatible with these Directives. The final basic condition adds the requirement that the Neighbourhood Plan must not have a significant effect on a European site.

There is a rich and diverse range of wildlife habitats within Ropley Parish due to its variable geology and soils including clays, chalk and river gravel. There are eight Sites of Importance (SINCs) for Nature Conservation. Policy CPO3 in the Joint Core Strategy requires new developments to maintain, enhance and protect biodiversity generally, and in particular, designated sites such as SINCs.

Following consultation with Natural England, EHDC has undertaken a Habitats Regulations Assessment (HRA) to test whether the Ropley Neighbourhood Plan, in combination with other plans and projects, is likely to have an adverse effect on the integrity of the site. A letter was received confirming the assessment was done and confirmed that no habitat assessments were required. A copy of the letter can be found in the Evidence Base for the submitted plan.

## **4. Convention Rights**

The Examiner is required to consider whether the Neighbourhood Plan is compatible with the Convention Rights, as defined in the Human Rights Act 1998.

Section 6 of the Act states that it is unlawful for a public authority to act in a way which is incompatible with a Convention Right. The Convention Rights are contained in Articles, which are set out in Schedule 1 of the Act.

The preparation of the Neighbourhood Plan and its policies may affect a number of the Convention Rights. All these rights are qualified rights, which means that there is a balance between the rights of the individual and the needs of the wider community.

Article 1 of Protocol 1 states that a person has the right to the peaceful enjoyment of their possessions and cannot be deprived of them except in the public interest. While individual landowners might consider that the Plan prevents them from developing or using their land in the way they wish to, the Plan is made in compliance with national planning law, which requires development to be sustainable, and any restrictions on the use of land are made in accordance with the wider interests of the community. The Plan is therefore compatible with this Article.

Article 6 states that everyone is entitled to a fair and public hearing in the determination of civil rights and obligations. The law establishes the independent examinations process for

Neighbourhood Plans. Although a hearing is not generally held, the Examiner will consider all representations received at earlier stages of consultation. The process for preparing the Neighbourhood Plan is compatible with this Article.

Article 8 states that everyone has the right to respect for their private and family life and their home and correspondence. Therefore, the Neighbourhood Plan requires new development to safeguard the living conditions of adjoining residents, including their privacy (Policy 14), and is compatible with this right.

Article 10 states that everyone has the right to freedom of expression. This includes the right to hold opinions and receive and impart information. The consultation process during the preparation of the Neighbourhood Plan has provided several opportunities for residents to express their opinions.

Article 14 states that the enjoyment of Convention Rights shall be secured without discrimination on any ground such as sex, race, colour, religion, politics, property or other status. The policies of the Neighbourhood Plan apply to all members of the community regardless of any of these grounds and have been developed following full consultation with residents and wider consultees in order to ensure that they are as inclusive as possible. The development of new homes will affect existing and potential residents differently according to their financial status. The provision of affordable housing (Policies 19, 20 and 21) will benefit those who qualify in terms of their local connection and financial eligibility. These differences are in accordance with national planning law and the Plan is therefore compatible with this Article.

The Neighbourhood Plan aims to provide for sustainable development which preserves and protects the village environment while improving the quality of life for residents. It is therefore fully compatible with the Convention Rights.

## 5. Conclusion

It is submitted that this Basic Conditions Statement demonstrates that the proposed Ropley Neighbourhood Plan meets the requirements of Paragraph 8 of Schedule 4B to the Town & Country Planning Act 1990.