

East Hampshire District Council

Strategic Policy Assessment

1. Introduction

- 1.1 Neighbourhood plans must be in general conformity with the strategic policies contained in any development plan which covers their area.
- 1.2 National Planning Policy Framework (NPPF, July 2018) says that, “Plans should make explicit which policies are strategic policies” (para 21). This document clarifies the strategic policies in East Hampshire district for those considering preparing or in the process of preparing Neighbourhood Plans or Neighbourhood Development Orders.

2. Background

- 2.1 *Neighbourhood planning*
- 2.2 Neighbourhood planning was introduced through the Localism Act 2011. This act allows qualifying bodies (parish or town councils, or neighbourhood forums in areas without parish or town councils) to produce Neighbourhood Plans and Neighbourhood Development Orders. Neighbourhood Plans allow communities to set planning policies for their area. Neighbourhood Development Orders allow communities to grant up-front planning permission for developments they want or need.
- 2.3 Neighbourhood Plans and Orders are tested against a series of ‘basic conditions’ through examination. One of the basic conditions that they must meet is to be in general conformity with the strategic policies contained in the development plan for their area. Outside the strategic elements of the development plan, Neighbourhood Plans and Orders can plan positively to support local development by shaping and directing development in their area. Therefore, it is important that neighbourhood planning groups and bodies can identify which policies are strategic.
- 2.4 If successful at examination and referendum the neighbourhood plan comes into force as part of the statutory development plan. Applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 2.5 *National Planning Policy*
- 2.6 The NPPF says, “Neighbourhood plans must be in general conformity with the strategic policies contained in any development plan that covers their area.” (p.10, footnote 16).
- 2.7 *The Development Plan*
- 2.8 The current Development Plan for East Hampshire District is:

- East Hampshire District Local Plan: Joint Core Strategy Policies (2014), East Hampshire District Council and South Downs National Park Authority working in partnership
- The Local Plan (Part 2): Housing and Employment Allocations (2016)
- The saved Policies of the East Hampshire District Local Plan: Second Review (March 2006)
- Hampshire Minerals and Waste Plan (2013).

2.9 A Local Plan review is underway to replace all three Local Plan documents. This document will be updated when the position, as set out above, changes.

2.10 South Downs National Park Planning Authority has prepared a new Local Plan for the South Downs National Park area, which is currently awaiting examination (this is the position as at October 2018, see the [SDNP website](#) for more information). The policies in the Joint Core Strategy relating to the South Downs National Park area will be replaced by the South Downs National Park Local Plan (2018).

3. Policy context

3.1 Noting that a Neighbourhood Plan as a basic condition must be “in general conformity with the strategic policies contained in any development plan that covers their area”, NPPG (Paragraph: 074 Reference ID: 41-074-20140306) states with regards to clarifying what is meant by ‘general conformity’,

“When considering whether a policy is in general conformity a qualifying body, independent examiner, or local planning authority, should consider the following:

- whether the neighbourhood plan policy or development proposal supports and upholds the general principle that the strategic policy is concerned with
- the degree, if any, of conflict between the draft neighbourhood plan policy or development proposal and the strategic policy
- whether the draft neighbourhood plan policy or development proposal provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy
- the rationale for the approach taken in the draft neighbourhood plan or Order and the evidence to justify that approach.”

3.2 The NPPF paras 20-23 (p.9) describe strategic policies. Strategic policies set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision for housing, infrastructure, community facilities and conservation and enhancement of the natural, built and historic environment (para 20).

4. Assessment of strategic policies

4.1 Strategic policies are those that address the big picture rather than dealing with detailed matters. They may cover things like the spatial pattern of development, protection of valued assets of district wide significance and issues that affect the whole district.

- 4.2 The NPPG (Paragraph: 076 Reference ID: 41-076-20140306) advises that when reaching a view on whether a policy is a strategic policy the following are useful considerations:
- whether the policy sets out an overarching direction or objective
 - whether the policy seeks to shape the broad characteristics of development
 - the scale at which the policy is intended to operate
 - whether the policy sets a framework for decisions on how competing priorities should be balanced
 - whether the policy sets a standard or other requirement that is essential to achieving the wider vision and aspirations in the Local Plan
 - in the case of site allocations, whether bringing the site forward is central to achieving the vision and aspirations of the Local Plan
 - whether the Local Plan identifies the policy as being strategic.
- 4.3 East Hampshire District Local Plan: Joint Core Strategy was adopted in June 2014, providing strategic policies for the district. These policies are strategic by nature, and remain the most up to date strategic policies for the district.
- 4.4 The Local Plan – the saved Policies of the East Hampshire District Local Plan: Second Review (March 2006), Chapter 2 - General Strategy contained the strategic policies for the district until they were replaced by policies in the Joint Core Strategy in 2014. As such, the remaining saved policies in the Local Plan: Second Review (2006) are not considered strategic in nature, and where there are elements of strategic themes in policies, these have been generally considered in the Joint Core Strategy 2014.
- 4.5 The Hampshire Minerals and Waste Plan (2013) contains planning policies for minerals and waste development in Hampshire. Such policies are therefore not included in the Joint Core Strategy 2014, and as such, the policies in the Hampshire Minerals and Waste Plan (2013) are generally considered strategic in nature. Any further advice however would be provided by Hampshire County Council, the planning authority for minerals and waste.
- 4.6 Those preparing Neighbourhood Plans are therefore advised to carefully consider the policies in the Joint Core Strategy and ensure that Neighbourhood Plan policies, taking account of NPPG (Paragraph: 074 Reference ID: 41-074-20140306) which sets out what is meant by general conformity, as a basic condition, are in general conformity with them. If a Neighbourhood Plan intends to consider any matters relating to minerals and waste, the qualifying body is advised to contact and work closely with Hampshire County Council.

5. Process

- 5.1 When a Neighbourhood Plan is prepared, a statement is required explaining how the Neighbourhood Plan meets the basic conditions (of which one is general conformity with the strategic policies contained in any development plan that covers the area).
- 5.2 Explaining this further, NPPG says (Paragraph: 068 Reference ID: 41-068-20140306),

“A statement (a basic conditions statement) setting out how a draft neighbourhood plan or Order meets the basic conditions must accompany the draft neighbourhood plan or Order when it is submitted to the local planning

authority (see regulation 15(1)(d) and regulation 22(1)(e) of the Neighbourhood Planning (General) Regulations 2012 (as amended)).”

- 5.3 This is most likely best presented in tabular format, showing how each policy in the Neighbourhood Plan conforms with the strategic policies contained in the development plan, using the criteria provided by the NPPG (Paragraph: 074 Reference ID: 41-074-20140306) that clarifies what is meant by ‘general conformity’.

6. Future position

- 6.1 The new Local Plan (following the Local Plan review) will replace the three East Hampshire Local Plans with one single Local Plan, containing new strategic policies. The policies in the Joint Core Strategy relating to the South Downs National Park area **will be** replaced by the South Downs National Park Local Plan (2018).
- 6.2 Those preparing Neighbourhood Plans are advised to be mindful of the timetable for Local Plan review (including minerals and waste planning), and potential implications for Neighbourhood Plans. Any changes to this position will be reflected in an update of this document.

7. Summary

- 7.1 As a basic condition, Neighbourhood Plans must be in general conformity with the strategic policies contained in the development plan. Plans should make explicit which policies are strategic policies.
- 7.2 The Council considers the policies in the East Hampshire District Local Plan: Joint Core Strategy Policies (June 2014) to be the strategic policies within the adopted Local Plan (excluding those relating to the South Downs National Park area that have been replaced by the South Downs National Park Local Plan 2018, once adopted). In addition, policies in the Hampshire Minerals and Waste Plan are considered generally strategic, with further detailed advice recommended to be sought from Hampshire County Council.
- 7.3 Neighbourhood Plans must submit a basic conditions statement which demonstrates the Neighbourhood Plan policies are in general conformity with these strategic policies.
- 7.4 This Strategic Policy Assessment will be updated if there is a change to this position.

8. Further information

- 8.1 Further information on Neighbourhood Planning is available:
- On the Council’s website at <http://www.easthants.gov.uk/planning-policy/neighbourhood-planning>
 - In the National Planning Practice Guidance at <https://www.gov.uk/government/collections/planning-practice-guidance>

- On Locality's website (national network of community-led organisations) at <http://locality.org.uk/projects/building-community/>.