



# **Bentley Neighbourhood Plan 2015-2028**

## **Basic Conditions Statement**



**Published by Bentley Parish Council under the Neighbourhood Planning (General) Regulations 2012**

**April 2015**

## 1. Introduction

1.1 This Statement has been prepared by Bentley Parish Council (“the Parish Council”) to accompany its submission to the local planning authority, East Hampshire District Council (“the District Council”), of the Bentley Neighbourhood Plan (“the Neighbourhood Plan”) under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (“the Regulations”).

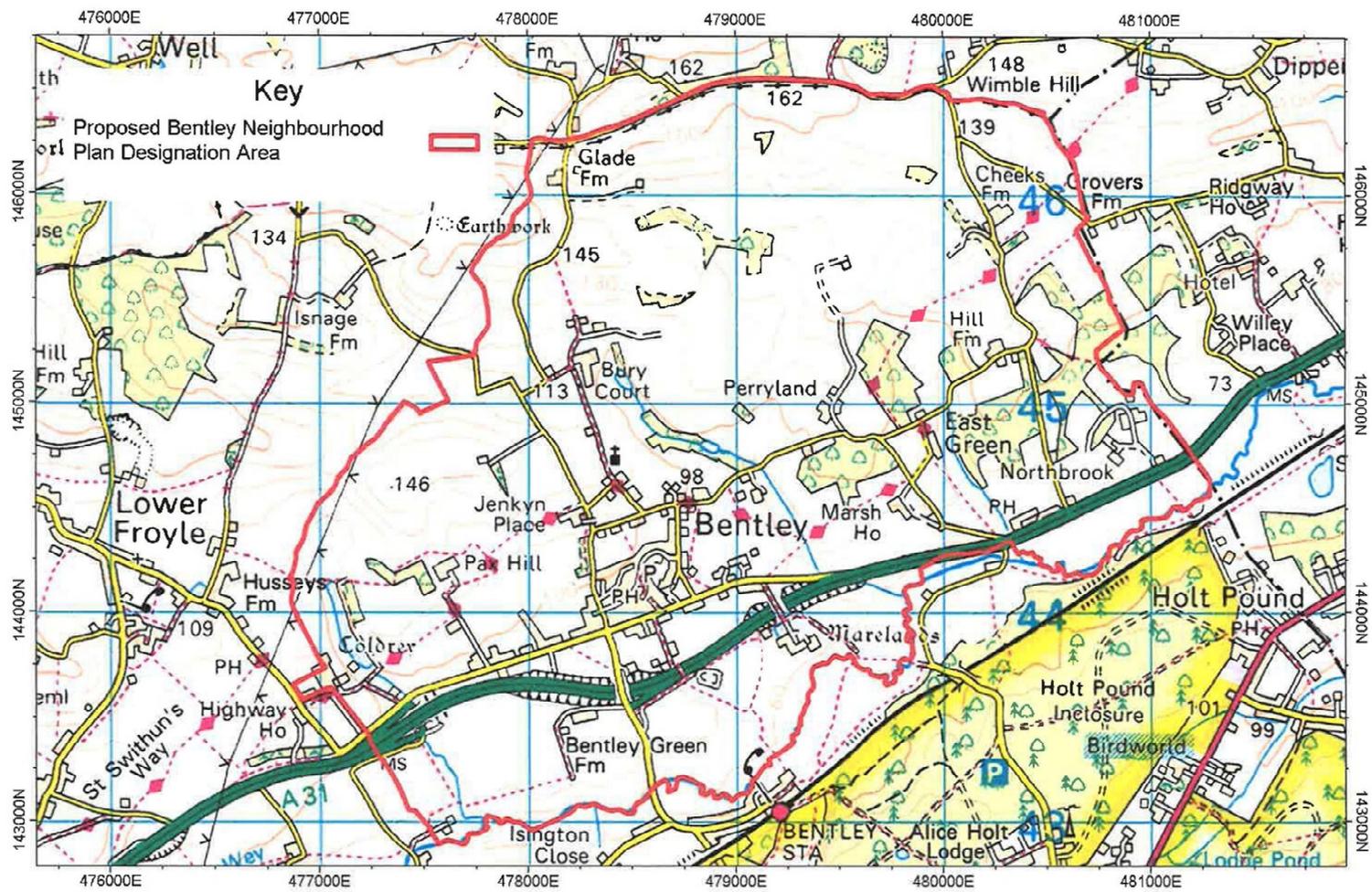
1.2 The Bentley Parish Neighbourhood Plan (BPNP) has been prepared by the Parish Council, a qualifying body, for the Neighbourhood Area covering the whole of the Parish of Bentley, as designated by the District Council on 23 October 2014.

1.3 The policies described in the Neighbourhood Plan relate to the development and use of land in the designated Neighbourhood Area. The plan period of the BPNP is from 1 April 2015 to 31 March 2028 and it does not contain policies relating to ‘excluded development’, as defined by and in accordance with, the Regulations.

1.4 The Statement addresses each of the four ‘basic conditions’ required of the Regulations and explains how the submitted Neighbourhood Plan meets the requirements of paragraph 8 of Schedule 4B to the 1990 Town & Country Planning Act.

1.5 The Regulations state that a Neighbourhood Plan will be considered to have met the basic conditions if:

- having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood development plan;
- the making of the neighbourhood development plan contributes to the achievement of sustainable development;
- the making of the neighbourhood development 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); and
- the making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations.



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*PLAN A: The Designated Bentley Neighbourhood Area*

*Bentley Neighbourhood Plan: Basic Conditions Statement April 2015*

## 2. Background

2.1 The Parish Council commenced preparation of the Neighbourhood Plan in 2014. The key drivers of that decision were the encouragement of the District Council to parishes in its district to prepare Neighbourhood Plans and the keenness of the Parish Council to provide policy proposals to complement the strategic policies of the Joint Core Strategy 2014, most notably the desire for villages in the district outside the National Park to identify sites for a total of 150 new homes in the plan period. The Parish Council also wishes to have greater influence over local development and infrastructure issues and to promote the sustainable development of the parish.

2.2 A Steering Group was formed comprising parish councillors and members of the local community and it was delegated authority by the Parish Council to make day-to-day decisions on the Neighbourhood Plan. However, as qualifying body, the Parish Council approved the publication of:

- the Bentley Plan (as part of the EHDC LIPS initiative) of June 2014
- the Pre-Submission Neighbourhood Plan of December 2014
- the Submission Neighbourhood Plan of April 2015

2.3 The Parish Council has worked closely with officers of the District Council during the preparation of the Neighbourhood Plan. The East Hampshire District Local Plan: Joint Core Strategy (JCS) was adopted in June 2014 and supersedes the strategic policies of the Local Plan Review. The saved policies in the East Hampshire District Local Plan: Second Review, are currently the development management policies that sets out the guidance for planning officer in deciding on planning applications in the district. These will be superseded partly by neighbourhood plans for the area of Bentley Parish and by the Local Plan Part 3 -Development Management. The document is expected to be adopted in December 2016.

2.4 The JCS sets out the housing requirement for the district and identifies Bentley as being one of twenty villages outside the South Downs National Park that should together provide a minimum of 150 dwellings. This is a guideline for the Neighbourhood Plan and it has considered this number together with other planning applications recently approved in the parish and the adjoining parishes to establish an appropriate housing number that the village services and infrastructure can sustain.

2.5 The Neighbourhood Plan contains a small number of land use policies (in Section 4) that are defined on the Policies Map as being geographically specific and non-statutory proposals (in Section 5) that are included for the completeness of the Neighbourhood Plan. For the most part, the plan has deliberately avoided containing policies that may duplicate the many out of date and emerging development policies that are, and will be, material considerations in determining future planning applications.

2.6 In making a clear distinction between land use planning policies and non-statutory proposals relevant to land use planning, the Neighbourhood Plan allows for the examination to focus on the requirement of the policies to meet the Basic Conditions but also allows the local community to see the Neighbourhood Plan in the round. In any event, the non-statutory proposals will each have a land use effect at some later point but cannot do so as part of the Neighbourhood Plan as they fall outside its scope.

### **3. Conformity with National Planning Policy**

3.1 The Neighbourhood Plan has been prepared with regard to national policies as set out in the National Planning Policy Framework (NPPF) and is mindful of the Planning Practice Guidance (PPG) in respect of formulating neighbourhood plans.

3.2 In overall terms, there are four NPPF paragraphs that provide general guidance on neighbourhood planning, to which the Neighbourhood Plan has directly responded:

#### Para 16

3.3 The Parish Council believes the Neighbourhood Plan is planning positively to support the strategic development needs of the district by supporting new housing on small scale sites primarily within and on the edge of Bentley village in order to sustain the character and meet local housing needs of the parish. It also seeks to protect and enhance open spaces and valued community facilities that benefit the parish.

#### Para 183

3.4 The Neighbourhood Plan establishes a clear vision for the parish that reflects the view of the majority of the local community. It has sought to translate the vision into a series of meaningful planning policies to plan for housing growth and to determine future planning applications as part of the development plan.

#### Para 184

3.5 The Parish Council believes the Neighbourhood Plan, as is highlighted below, is in general conformity with all the relevant strategic policies of the development plan, namely the East Hampshire District Local Plan: Joint Core Strategy (June 2014). It is considered to strike a positive balance between the physical and policy constraints of the Parish and the desire to meet local housing demand.

Para 185

3.6 The Neighbourhood Plan avoids duplicating development plan policies by focusing on policies that translate the general requirements of the development plan into a Bentley Parish context. Once made, the Neighbourhood Plan should be easily considered alongside the development plan and any other material considerations in determining planning applications.

3.7 Set out in Table A below, is a brief summary of how each policy conforms to the NPPF. 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.

<b>Table A: Neighbourhood Plan &amp; NPPF Conformity Summary</b>			
<b>No.</b>	<b>Policy Title</b>	<b>NPPF Ref.</b>	<b>Commentary</b>
1	Spatial Plan	15, 50, 55 110, 111, 115	<p>This policy establishes the key spatial strategy for directing future development proposals in the parish. It reflects the presumption in favour of sustainable development and will guide how development will be delivered over the plan period in line with Para 15 of the NPPF.</p> <p>This policy sets the strategic direction for all the Plan's other policies by steering new development within Bentley as a Level 4- Other Settlements within a settlement policy boundary and by continuing to exert strong control over development proposals elsewhere in the countryside of the parish.</p>

			<p>Through redrawing the settlement policy boundary for Bentley, the policy balances housing growth with the provisions of Para 110 of the NPPF in respect of preparing a plan to meet the development needs and at the same time minimising detrimental effects to the natural environment, in line with Para 115. It also favours the reuse of previously developed land in line with Para 111.</p> <p>The policy contributes to delivering a choice of high quality homes as set in Para 50 of the NPPF and proposes to allocate those through a small scale site in an accessible location on the edge of the established village in a scale that reflects their existing scale and services. This will enhance and maintain the vitality of the rural community and further avoid the delivery of isolated homes in the countryside. In these respects the policy is in line with Para 55.</p>
2	Housing Site Allocations – Land off School Lane	50, 58, 173	This policy is consistent with Para 50 of the NPPF in contributing to the supply of a mix of new homes to meet local needs by allocating land for housing development within the redefined built-up area boundaries of Bentley, in accordance with the spatial strategy of Policy 1. The policy sets out the key development principles for the site in line with Para 58. The landowner has indicated formally through their representation on the Pre Submission Plan and informally through discussions with the Plan Steering Group that their land is available and that they have no objections to these principles indicating that the scheme will be deliverable in principle in line with Para 173 of the NPPF.
3	Design and Development Principles	58, 59, 126	This policy accords with Para 58, 59 of the NPPF in requiring the overall design principles of development proposals to reflect the local character of Bentley and especially of the significance of its designated heritage assets, i.e. the Conservation Area and listed buildings in accordance with para 126 of the NPPF.
4	Recreation Ground	70	This policy supports development proposals to safeguard land for potential future development of new buildings for community uses and car parking. This is in line with para 70 of the NPPF in terms of planning positively for the provision of community facilities
5	Education	72	This policy safeguards land to the north of Bentley Schools for the extension of the school if a need can be demonstrated. As such, it accords with Para 72 of the NPPF, which encourages proposals to increase the capacity of local school places.
6	Open Spaces	76, 77	This policy proposes a number of important green spaces in the parish to be protected from development by the designation as Local Green Spaces and open spaces in accordance with paras 76 and 77 of the NPPF.

7	Local Employment	28	This policy supports the expansion of the local employment site known as the Bentley Industrial Centre for the use classes B1-B8 (Business, General Industrial or Storage or Distribution) and as such is in conformity with para 28 of the NPPF.
8	Village Centre	28	This policy seeks to protect the existing A1 shop units in the locations in the parish and its public house (A4) from a change of use for another purpose and is therefore in line with Para 28 of the NPPF.
9	Broadband	43	This policy accords with Para 43 of the NPPF in supporting the expansion of electronic communications networks across this rural parish to improve accessibility to broadband services for local residents and businesses.
10	Sustainable Drainage	99	This policy will support development proposals in the parish provided they are able to demonstrate that the proposals include one or more of certain sustainable drainage design features stated, to manage the risk of surface water flooding within their boundary and elsewhere in the parish. It therefore accords with para 99 in respect of planning for climate change in an area that is known to have flooding problems.
11	Rural Exception Site	54	This policy defines the district's policy for affordable housing in the rural areas and sets an approximate dwelling number for Rural Exception Sites to relate to the character of Bentley Parish. It support an appropriate number of affordable housing units in the countryside in accordance with para 54 of the NPPF.
12	Traffic Impacts	35	This policy seeks to ensure that the traffic generated by new development is in keeping with the rural character of the parish and are effective in ensuring road safety, as such, it is in line with Para 35 of the NPPF.

#### 4. Contribution to Achieving Sustainable Development

4.1 The Neighbourhood Plan was not required by the EHDC to undertake a Strategic Environmental Assessment (SEA) of its environmental effects and neighbourhood plans are not required to undertake a Sustainability Appraisal. A Screening Opinion was provided by EHDC on the 5<sup>th</sup> of November 2014 which stated that a SEA was not required. The letter further explained that the SEA/HRA work on the JCS and the forthcoming Local Plan Site Allocations document will together provide adequate assessments of development policies and proposals in Bentley. Therefore, the Neighbourhood Plan can clearly demonstrate that it has taken account of the need to contribute to the achievement of sustainable development in terms of how its policies will deliver a blend of economic, social and environmental benefits for Bentley.

4.2 The strategic objectives of the Neighbourhood Plan comprise a balance of social, economic and environmental goals. The local community desires that the best aspects of the village – its high quality local environment, its village shops, local employers and community facilities – are supported and enhanced in the coming years through effective development management.

4.3 The chosen policies are therefore intended to accurately translate these strategic objectives into viable and effective development management policies and deliverable infrastructure proposals. Collectively, the policies demonstrate that the Neighbourhood Plan will deliver strong social impacts though both economic and environmental impacts score well too. Indeed, every policy will deliver a positive social outcome – the provision of new homes, the retention of valued spaces and facilities – and none will have a negative impact.

4.4 This outcome may be characteristic of Neighbourhood Plans prepared in similar planning policy circumstances. If local communities are to back development in this type of location, to the extent they will turn out to vote at a referendum, then there may have to be clear and realisable social benefits they can accrue. But this will rarely be at an environmental or economic cost as local communities will resist such impacts and they will not be in conformity with either the NPPF or development plan.

4.5 The sustainability attributes of each policy are summarised in Table B below.

<b>Table B: Neighbourhood Plan &amp; Sustainable Development Summary</b>					
No.	Policy Title	Soc.	Eco.	Env.	Commentary
1	Spatial Plan	*	0	0	This policy establishes the key spatial priority for the BPNP. It sets the strategic direction for all its other policies by steering new development into the established settlement in the parish, Bentley village, and by continuing to exert strong control over development proposals elsewhere in the countryside areas of the parish. For the avoidance of doubt, the policy resists development in residential gardens within the Bentley Settlement Boundary (BSB) by confining it to brownfield land only and confine housing and other development proposals to within the BSB. The policy therefore has a social positive effect, the environment and economic effects are neutral.
2	Housing Site Allocations – Land	*	0	0	This policy allocates land adjoining the edge of Bentley for a small scale housing scheme that may comprise of approximately ten dwellings. The location and nature of the land

	off School Lane				require a number of key development principles to be adhered to in order for a satisfactory scheme to be delivered and these are also set out in the policy. The policy therefore has a social positive effect, the environment and economic effects are neutral.
3	Design and Development Principles	*	0	*	This policy requires the design of development proposals to reflect the local character of Bentley and especially of the significance of its designated heritage assets such as the Conservation Area and listed buildings. The policy therefore has a social and environment positive effect and the economic effects are neutral.
4	Recreation Ground	*	0	0	This policy supports development proposals to safeguard land for potential future development of new buildings for community uses and car parking. The policy therefore has a social positive effect, the environment and economic effects are neutral.
5	Education	*	0	0	There is currently no need to extend the facilities at the school, although the policy safeguards land for a potential future extension of the premises. The policy therefore has a social positive effect, the environment and economic effects are neutral.
6	Open Spaces	*	0	*	This policy proposes a number of important green spaces in the parish to be protected from development by the designation as Local Green Spaces. The policy therefore has a social and environment positive effect and the economic effects are neutral.
7	Local Employment	*	*	0	This policy supports the expansion of the local employment site known as the Bentley Industrial Centre for the use classes B1-B8 (Business, General Industrial or Storage or Distribution). The policy therefore has a social and economic positive effect and the environment effects are neutral.
8	Village Centre	*	*	0	This policy seeks to protect the existing A1 shop units in the locations in the parish and its public house (A4), shown on the policies map, from a change of use for another purpose. The policy therefore has a social and economic positive effect and the environment effects are neutral.
9	Broadband	*	0	0	This policy supports the improvement of access to super-fast broadband infrastructure and services across the very rural parish. In doing so, the policy is supportive of above-ground installations requiring planning consent, provided they are sited and designed to accord with a rural location. The policy therefore has a social positive effect, the environment and

					economic effects are neutral.
10	Sustainable Drainage	*	0	0	The policy seeks to refine the EHDC Core Strategy in respect of requiring all relevant development proposals in the parish to manage the risk of surface water flooding. The policy therefore has a social positive effect, the environment and economic effects are neutral.
11	Affordable Housing Development	*	0	0	This policy allow for small scale affordable housing sites outside the Bentley Settlement Boundary (BSB) CP14 of the EHDC Core Strategy. Any such development proposals would need to prepare a report demonstrating that the conditions in the policy above are met. For the purpose of this policy small scale is defined as 10 dwellings or fewer in accordance with the PPG. The policy therefore has a social positive effect, the environment and economic effects are neutral.
12	Traffic Impacts	*	0	0	This policy proposes to ensure that any development in Bentley Parish will not have a detrimental effect on traffic within the area. If this should this be the case then the development will need to contribute to appropriate mitigation measures. The policy therefore has a social positive effect, the environment and economic effects are neutral.

Key: \* positive 0 neutral - negative

## 5. General Conformity with the Development Plan

5.1 The Neighbourhood Plan has been prepared to ensure its general conformity with the development plan for East Hampshire District Council. As described above, the current development plan of relevance to the Neighbourhood Plan comprises the East Hampshire District Local Plan: Joint Core Strategy (June 2014) and the saved policies in the East Hampshire District Local Plan: Second Review and this will remain so at the time of the examination of the Neighbourhood Plan.

5.2 The analysis in Table B below summarises the conformity of the Neighbourhood Plan policies with the strategic policies set out in the Joint Core Strategy (June 2014).

**Table C: Neighbourhood Plan & Development Plan Conformity Summary**

No.	Policy Title & Refs	Commentary
1	Spatial Plan  Joint Core Strategy (June 2014) policy CP19	<p>This policy redraws the current EHDC settlement policy boundary for Bentley village, to confine housing and other development proposals to within the new Bentley Settlement Boundary (BSB), unless they are appropriate to a countryside location. This relates to EHDC policy CP19 of the JCS. Development in the countryside which protects land outside the Settlement Policy Boundary, defined as Countryside, from development unless it can be demonstrated that there is a genuine and proven need for a countryside location.</p> <p>The BSB has been drawn by reviewing the existing EHDC Settlement Boundary on the Local Plan Proposals Map 2006 of Bentley Parish. The new boundary takes account of two issues. Firstly it includes the allocation of the Land off School Lane in Policy 2, the Recreation Ground of Policy 4 and the safeguarding of land north of the Recreation Ground for potential future School extension in Policy 5. This scheme is considered to contribute towards the housing target set by Policy CP 10 as set by the Local Plan. Hence the boundary has been amended to allow for the allocation in policy 2. Secondly it has considered the recent outlined planning approval for 37 dwellings at Somerset Field which together with the site allocated by the BPNP on the land off School Lane and the scheme under construction on Crocks Farm contributes towards the Bentleys housing provision of the 150 houses to be provided by villages in the District outside the National Park. This site however has not been included within the BSB as the development has yet to commence due to planning conditions, and the development has yet to be implemented. Once the scheme has been completed the BSB will be redrawn to reflect the built out scheme in a future review of the Neighbourhood plan or Local Plan.</p> <p>The BPNP has demonstrated that it is in line with EHDC policy CP10 which sets the minimum number of 150 dwellings to be built in <i>'other villages outside the National Park'</i> within the plan period of 2011-2028. Through acknowledging the consented schemes of 9 dwellings at Crocks Farm, 37 dwellings at Somerset Field and in making an allocation for approximately 10 on land off School Lane through the BPNP.</p>

2	<p>Housing Site Allocations – Land off School Lane</p> <p>Joint Core Strategy (June 2014) policy CP2, CP10, CP26, CP29, CP31</p>	<p>This policy relates to Core Policy CP2 and CP10 in the EHDC Core Strategy which sets the hierarchy and the housing number for the district over the time period.</p> <p>The proposed phasing for this housing allocation is based on the accumulative housing growth from already consented housing schemes in and in close proximity outside the parish, namely:</p> <ul style="list-style-type: none"> <li>a. the development in Froyle and the development on the Somerset Field Site will together result in 107 new homes in Bentley and the adjacent village. It is likely that the 70 new homes in Froyle will be wholly completed and occupied by December 2015, and the 37 new homes on the Somerset Field Site will be completed and occupied prior to December 2018. This will result in an increase in the use of the services in Bentley and traffic through the village;</li> <li>b. the development in Whitehill-Bordon Eco Town resulting in 4000 new homes will be substantially completed prior to December 2019. This will result in a significant increase in traffic through the village as highlighted in the Whitehill-Bordon Eco Town Traffic Management Transport Strategy;</li> <li>c. additional dwellings currently being constructed in Bentley (9 adjacent to Crocks Farm Cottages, 3 at Honeywood, School Lane and 1 in Hole Lane next to the Doctor’s Surgery), will add to the increased demand on the services in Bentley ;</li> <li>d. the community preference as evidenced by the Bentley Plan is for small scale gradual growth; and</li> <li>e. the impact of additional dwellings on local infrastructure and in particular the waste water services and Sewerage Network Capacity as shown by Thames Water’s comments to the Regulation 14 Consultation.</li> </ul> <p>The reasoning of the later phasing for development of this site is in line with policy CP26 of the JCS as it ensures adequate provision of water supply and surface water drainage. It further accords with policy CP29 and CP31 of the JCS in that it requires the development to reflect the character of the surrounding area and in terms of providing appropriate parking.</p>
3	<p>Design and Development Principles</p> <p>Joint Core Strategy (June 2014) policy CP29, CP30</p>	<p>This policy accords with the policies CP29 and CP30 of the EHDC Core Strategy, in requiring the design of development proposals to reflect the local character of Bentley and especially of the significance of its designated heritage assets, i.e. the Conservation Area and listed buildings.</p>
4	<p>Recreation Ground</p>	<p>This policy supports development proposals to safeguard land for potential future development of new</p>

	Joint Core Strategy (June 2014) policy CP16, CP17, CP18	buildings for community uses and car parking. The facility and use already benefit from the protection and increased provision offered by policy CP17 and CP18 of the EHDC Core Strategy and further relates to policy CP16 in providing social infrastructure.
5	Education Joint Core Strategy (June 2014) policy CP16	There is currently no need to extend the facilities at the school, although the policy safeguards land for a potential future extension of the premises. This policy relates to the protection and provision of social infrastructure in the EHDC's policy CP16.
6	Open Spaces Joint Core Strategy (June 2014) policy	This policy proposes a number of important green spaces in the parish to be protected from development by the designation as Local Green Spaces in line with the CP17 of the JCS.
7	Local Employment Joint Core Strategy (June 2014) policy CP4, CP5	The EHDC Core Strategy policies CP4 and CP5 has been considered to ensure the BPNP policy conforms with these in respect of the viability of employment use and in providing employment for the local area.
8	Village Centre Joint Core Strategy (June 2014) policy CP8, CP16	Policy CP8 Town and Village Facilities and Services and CP16 Protection and provision of Social Infrastructure already support the improvement and maintenance of local parades and small local centres however the BPNP wants to go a step further to ensure that the use of the shops and commercial units do not change unless there is strong evidence to demonstrate that the use is no longer viable or that it can be located elsewhere.
9	Broadband	N/a
10	Sustainable Drainage Joint Core Strategy (June 2014) policy CP25	The policy seeks to refine policy CP25 of the EHDC Core Strategy in respect of requiring all relevant development proposals in the parish to manage the risk of surface water flooding. It prioritises the flood risk mitigation measures included in the policy to reflect the specific surface water flooding threats at Bentley.
11	Rural Exception Site	This BPNP policy defines the district's policy CP14 for affordable housing in the rural areas and sets an approximate dwelling number for rural exception sites to relate to the character of Bentley Parish. It support

	Joint Core Strategy (June 2014) policy CP14	an appropriate number of affordable housing units in the countryside especially in accordance with CP14 e) in setting a housing number for the affordable housing provision in rural exception sites to ensure that the scale of the developments will be modest and based on the local need.
12	Traffic Impacts  Joint Core Strategy (June 2014) policy CP31	This policy proposes to ensure that any development in Bentley Parish will not have a detrimental effect on traffic within the area. If this should be the case then the development will need to contribute to appropriate mitigation measures. This relates to the policy CP31 of the EHDC Core Strategy.

## **6. Compatibility with EU Legislation**

6.1 A screening opinion was issued by the District Council confirming that a Strategic Environmental Assessment (SEA) was not required in accordance with EU Directive 2001/42 on strategic environmental assessment, as the Neighbourhood Plan was not expected to contain policies that would have significant environmental effects.

6.2 The Neighbourhood Plan Area does not fall within the zones of influence of any European designated nature sites and therefore a Habitats Regulations Assessment (under the Conservation of Habitats and Species Regulations 2010 (as amended)) is not required.

6.3 The Neighbourhood Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act.