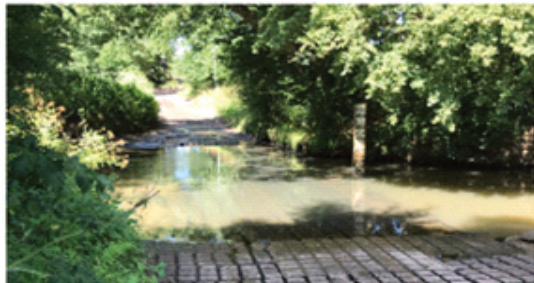


# Wellow Neighbourhood Plan 2016 - 2036

## Submission Draft



## Basic Conditions Statement

Version no. 3.0 August 2023

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# 1 INTRODUCTION

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

- The Wellow Neighbourhood Plan 2016 - 2036 including Appendices;
- A map of the Designated Neighbourhood Plan Area;
- This Basic Conditions Statement;
- A Consultation Statement detailing the extensive consultation with residents and other local stakeholders and statutory bodies throughout the development process;
- A Screening Statement dated May 2022 on the determination of the need for a Habitats Regulations Assessment (HRA) and a Strategic Environmental Assessment (SEA) which was carried out by New Forest National Park Authority;
- An evidence base comprising the evidence base documents identified in the NP including:
  - A. Wellow Parish Character Appraisal and Design Guide
  - B. Housing Needs Assessment and Survey
  - C. Site Assessment and Addendum
  - D. Survey of local employment and businesses
  - E. Evidence for Strategic Environmental Assessment screening report
  - F. List of Heritage Assets
  - G. Local Green Space Assessment
  - H. List of Infrastructure Projects and Community Aspirations
  - I. New Forest National Park Local Plan Inspector's Report
  - J. Ecology - List of Sites of Importance for Nature Conservation (SINCs), information from Hampshire Biodiversity Information Centre and Wellow Wildlife Plan
  - K. Community consultations and Survey
  - L. Important Views Assessment
- A list of key references cited in the Wellow Neighbourhood Plan, including:
  - Sustainability Matrix - Key Themes and Objectives for Wellow Neighbourhood Plan; 2019
  - Wellow Village Design Statement; Wellow Parish Plan; 2010
  - Wellow Community Wildlife Plan; New Forest National Park; 2014
  - Wellow Strategic Environmental Assessment; Environmental Report; AECOM; 2022
  - Report to Inform HRA - Wellow Neighbourhood Plan; AECOM; 2022

- Test Valley Landscape Character Interactive Map
- New Forest National Park Design Guide; New Forest National Park Authority; 2022

For additional information please see <https://www.wellownhp.org.uk/>

## 2 LEGAL REQUIREMENTS

The legal requirements of Neighbourhood Plans, and the related procedural obligations, are set out in the Town & Country Planning Act 1990 (as amended), The Planning and Compulsory Purchase Act 2004 (as amended) and the Neighbourhood Planning (General) Regulations 2012 (as amended).

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

### **Is Wellow Parish Council a ‘Qualifying Body’ authorised to act in relation to the Neighbourhood Area?**

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

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

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

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

The Wellow Neighbourhood Area application was submitted on 17<sup>th</sup> March 2016 and on 21<sup>st</sup> June 2016 the Test Valley Borough Council Corporate Director designated the area, which covers the whole of the parish including the area that falls within the New Forest National Park.

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

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

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

The designated Neighbourhood Area is indicated below in Figure 1:



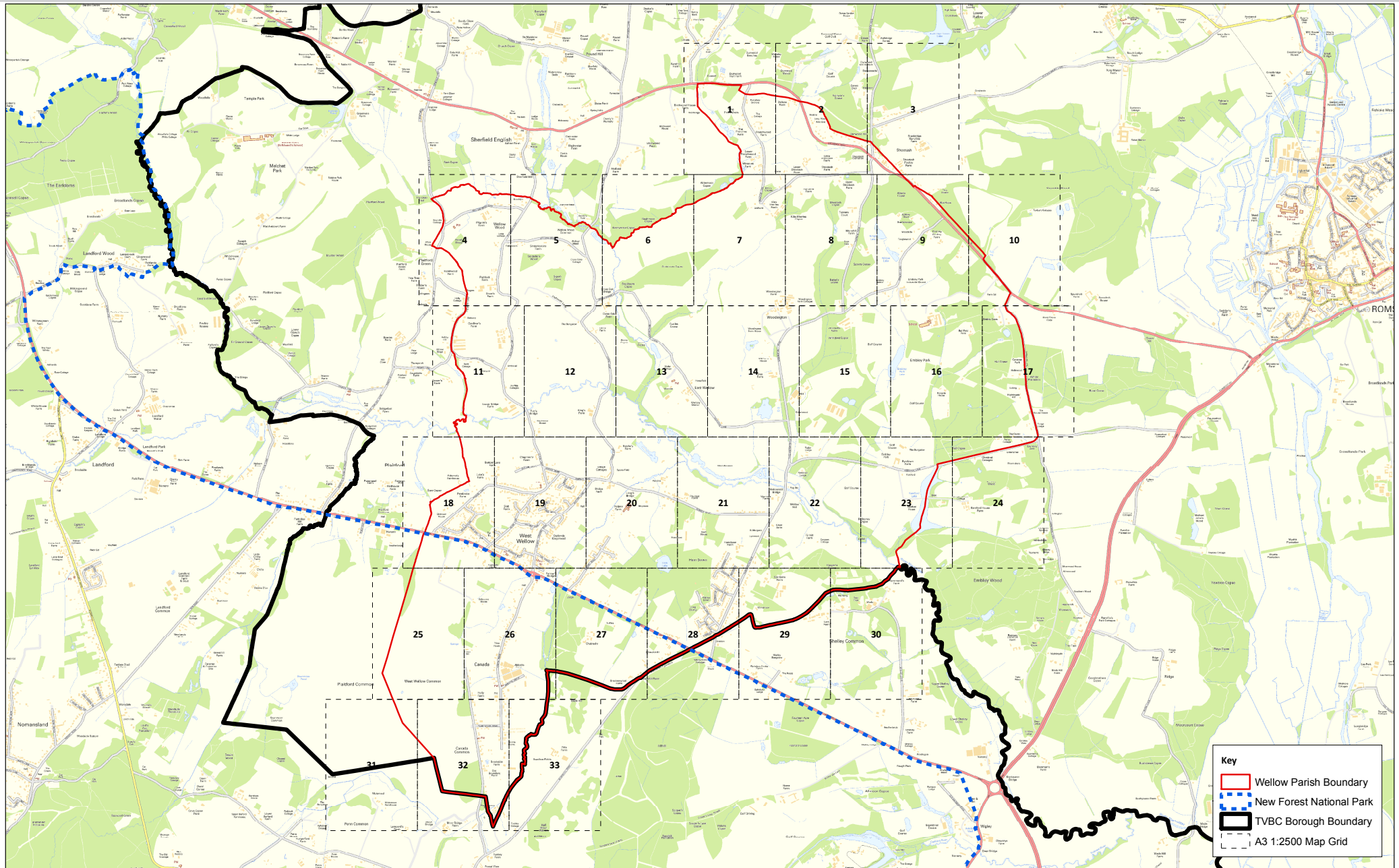


Figure 1. Designated Neighbourhood Area

Scale: NTS | Date: March 2016 | Drawn by: PPT (tg)

Test Valley  
Borough Council

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

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

Both the Neighbourhood Plan and the Basic Conditions Statement specify the period over which the Plan is to have effect, namely the period 2016 - 2036.

**Does the Wellow Neighbourhood Plan include provisions about development that is 'Excluded Development'?**

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

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

**Does the Wellow Plan relate to more than one neighbourhood area?**

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

As noted above, the Neighbourhood Plan covers the entire area within the parish boundary, including the area that falls within the New Forest National Park.

**Are there any other Neighbourhood Plans in place for the Wellow Neighbourhood area?**

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

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

### **Does the Wellow Neighbourhood Plan contain policies that relate to the development and use of land?**

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

### **Does the Wellow Neighbourhood Plan meet the 'Basic Conditions'?**

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

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

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

- (a) having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood plan
- (b) the making of the neighbourhood plan contributes to the achievement of sustainable development
- (c) the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (in this case Test Valley Borough Council and New Forest National Park Authority)
- (d) the making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations as incorporated into UK law
- (e) the making of the neighbourhood plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017, which set out the habitat regulation assessment process for land use plans, including consideration of the effect on



habitats sites (this is a 'Prescribed Condition')

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

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

### 3 CONFORMITY WITH NATIONAL POLICY / ADVICE

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

The Parish Council believes that the Neighbourhood Plan plans positively for future development in the Parish and that it is consistent with the provisions of the adopted Test Valley Borough Revised Local Plan DPD 2011 - 2029 and New Forest National Park Local Plan 2016 - 2036.

Set out in Table 1 overleaf, is a brief summary of how each policy conforms to the NPPF and NPPG. The particular paragraphs referred to in the table are those considered the most relevant to each policy but are not intended to be an exhaustive list of all possible relevant paragraphs.

NP Policy Number and Title	NPPF / NPPG paragraph	Comment on Conformity
ALL POLICIES	<p><i>NPPF Paragraphs 8 (sustainable development), 12-14, 18, 21, 29-30, 37, 50, 101, 127, 140 and 156 (neighbourhood planning).</i></p> <p><i>NPPG Paragraphs 41-001-20190509-41-107-20200925 (neighbourhood planning)</i></p>	The neighbourhood plan has been drafted having regard to the extensive policy and guidance contained in the Government's NPPF and NPPG resources. The policy and guidance has fundamentally informed and shaped the policies in this neighbourhood plan as a result.
Policy WP-S1 - Renewable Energy	<p><i>NPPF Paragraphs 8 (sustainable development), 152-158 (climate change).</i></p> <p><i>NPPG Paragraphs 5-001-20140306 to 5-031-20150415 (renewable and low carbon energy) and 6-003-20140612, 6-007-20140306 and 6-012-20190315.</i></p>	This policy reflects the guidance provided in the NPPG and paragraphs 152-158 of the NPPF and sets out a list of requirements that developers will need to meet in order for new renewable energy projects to be supported.
Policy WP-L1A - Landscape Character in the National Park	<p><i>NPPF Paragraphs 8 (sustainable development), 68-70 (delivering housing), 77-79 (rural housing), 119-121 (making effective use of land), 124-125 (density), 126-135 (design), 174 (landscape), 130 and 185 (amenity).</i></p> <p><i>NPPG Paragraphs 67-009-20190722 to 67-010-20190722 (rural housing), 26-001-20191001 to 26-023-20191001 (design), 8-036-20190721 to 8-042-20190721 (landscape), 66-004-20190722 to 66-005-20190722 (density), 66-006-20190722 to 66-007-20190722 (amenity).</i></p>	<p>This policy draws on comprehensive landscape and village character evidence from the Wellow Parish Character Appraisal and Design Code of the Neighbourhood Plan and the New Forest National Park Landscape Character Assessment to identify the areas of sensitive landscape character and enhance and preserve the natural landscape and agriculture land that exists between the settlements in order to maintain their separate physical and visual identities.</p> <p>In addition, it also seeks to build upon the policies of the development plan in maintaining the special character of the settlements in the Plan area that fall within the New Forest National Park and their associated spatial arrangement.</p> <p>This policy is consistent with national planning policy and guidance on landscape, infill housing development in rural areas, rural housing development and those aspects that deal with amenity, design and landscape quality.</p>
Policy WP-L1B - Landscape Character outside of the National Park	<p><i>NPPF Paragraphs 8 (sustainable development), 68-70 (delivering housing), 77-79 (rural housing), 119-121 (making effective use of land), 126-135 (design), 174 (landscape), 130 and 185 (amenity) and 194-202 (conserving and enhancing the historic environment).</i></p> <p><i>NPPG Paragraphs 18a-001-20190723 to 18a-021-20190723 (historic environment), 67-009-20190722 to 67-010-20190722 (rural housing), 26-001-20191001 to 26-023-20191001 (design), 8-036-20190721 to 8-042-20190721 (landscape), 66-006-20190722 to 66-007-20190722 (amenity).</i></p>	<p>Policy WP-L1B draws on the evidence contained in the Wellow Parish Character Appraisal and Design Code and the Test Valley Landscape Character Assessment to propose the designation of an area that has been identified to comprise a valued landscape as the Wellow Landscape Heritage Area. This is to ensure that the characteristics and green features that make the landscape valuable are preserved and continue to play an important role in defining the visual setting of the National Park.</p> <p>This policy reflects the relevant paragraphs of the NPPF and NPPG, which seek to conserve and enhance the natural environment and in particular valued landscapes and will ensure that developments pay special attention to the sensitivity of these areas.</p>

Policy WP-L2 - Equestrian Facilities	<p><i>NPPF paragraphs 8 (sustainable development), 81-85 (economy), 92, 100 (healthy communities), 104 and 110-112 (traffic/highways), 119-121 (making effective use of land), 126-135 (design), 174 (landscape), 130 and 185 (amenity).</i></p> <p><i>NPPG Paragraphs 8-001-20190721 (natural environment), 26-001-20191001 to 26-023-20191001 (design), 66-006-20190722 to 66-007-20190722 (amenity) and 42-001-20140306 to 42-015-20140306 (transport).</i></p>	This policy sets out a number of criteria which reflect the points raised in paragraphs 84-85 of the NPPF, which seek to support a prosperous rural economy and ensure that development will not unacceptably harm the countryside.
Policy WP-L3 - Local Green Spaces	<p><i>NPPF Paragraphs 8 (sustainable development), 20, 92, 154, 175, 186 (green infrastructure) and 98-103 (open space and recreation)</i></p> <p><i>NPPG Paragraphs 8-036-20190721 to 8-042-20190721 (landscape) and 8-004-20190721 to 8-035-20190721 (biodiversity / Net Gain and green infrastructure).</i></p>	This policy draws on the evidence provided in Appendix G of the Neighbourhood Plan and seeks to conserve existing green infrastructure that define the unique character of the NP Area. This policy complies with the requirements set out in the relevant paragraphs of the NPPF and the associated guidance in the NPPG.
Policy WP-L4 - Important Views	<p><i>NPPF paragraphs 8 (sustainable development), 126-135 (design) and 185(c) (dark landscapes).</i></p> <p><i>NPPG Paragraphs 26-001-20191001 to 26-023-20191001 (design), 8-036-20190721 to 8-042-20191101 (light pollution).</i></p>	This policy draws on the evidence contained in Appendix L to identify and manage the impact of development on the important views that are listed, in a way that is consistent with the requirements at NPPF at paragraphs 126-135 (design) by ensuring that the design of development reflects the special qualities of the area.
Policy WP-L5 - Green and Blue Infrastructure	<p><i>NPPF Paragraphs 8 (sustainable development), 55, 57-58 (planning obligations), 92, 100 (healthy communities), 104-106 and 110-112 (transport), 119-120 (making effective use of land), 126-135 (design), 153 and Section 14 generally (climate change - flood risk) and 20, 92, 154, 174-182, 186 (biodiversity / net gain / green infrastructure).</i></p> <p><i>NPPG paragraphs 26-001-20191001 to 26-023-20191001 (design), 8-036-20190721 to 8-042-20190721 (landscape), 7-001-20140306 to 6-012-20190315 (climate change) and 8-004-20190721 to 8-035-20190721 (biodiversity / Net Gain and green infrastructure), 37-004-20140306 (rights of way) and 23b-001-20190315 to 23b-038-20190901 (planning obligations).</i></p>	<p>Trees together with blue elements, including rivers, ponds and areas of wetlands, are significant features in the landscape throughout the Plan area. The safeguarding of existing trees is central to the policy objectives in paragraphs 174 and 180 of the NPPF. Encouragement of replacement planting (as part of the achievement of net gains) is central to NPPF policy at paragraphs 174, 179 and 180 in particular as well as elsewhere throughout the NPPF in relation to the protection and enhancement of Green Infrastructure.</p> <p>This policy also seeks to preserve and enhance existing Public Rights of Way, which is in conformity with paragraph 100 of the NPPF.</p>
Policy WP-L6 - Dark Night Skies	<p><i>NPPF Paragraphs 8 (sustainable development), 126-135 (design), 185(c) (dark landscapes) and 130 and 185 (amenity).</i></p> <p><i>NPPG Paragraphs 26-001-20191001 to 26-023-20191001 (design), 8-036-20190721 to 8-042-20190721 (landscape), 66-004-20190722 to 66-005-20190722 (density), 66-006-20190722 to 66-007-20190722 (amenity).</i></p>	By encouraging good design which minimises light pollution within the NP Area in order to maintain its rural character. This is consistent with the NPPF approach to limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation (NPPF paragraph 185(c)), as well as recognising the need for quality design, protecting and enhancing the landscape in the Plan area and recognising the intrinsic character and beauty of the countryside (paragraphs 8, 126-135, 174).

Policy WP-L7 - Biodiversity	<p><i>NPPF Paragraphs 8 (sustainable development), 174 (landscape) and 20, 92, 154, 174-182, 186 (biodiversity / Net Gain / green infrastructure).</i></p> <p><i>NPPG Paragraphs 8-036-20190721 to 8-042-20190721 (landscape) and 8-004-20190721 to 8-035-20190721 (biodiversity / Net Gain / green infrastructure)</i></p>	<p>Policy WP-L7 builds on the expectation that emerging legislation will confirm the requirement for a minimum percentage of biodiversity net gain. The requirement to demonstrate how a net gain can be achieved is already enshrined in the NERC Act 2006 and the NPPF (Section 15).</p> <p>Opportunities to incorporate biodiversity improvements in and around developments will be encouraged, especially where this can secure measurable net gains for biodiversity and therefore the policy is considered to be in accordance with the requirements of the NPPF.</p>
Policy WP-L8 - Mottisfont Bats	<p><i>NPPF Paragraphs 8 (sustainable development), 78-79 (rural housing), 126-135 (design) and 20, 92, 153, 174-182, (biodiversity / Net Gain / green infrastructure)</i></p> <p><i>NPPG Paragraphs 67-009-20190722 to 67-010-20190722 (rural housing), 23b-001-20190315 to 23b-038-20190901 (planning obligations), 26-001-20191001 to 26-023-20191001 (design), 8-004-20190721 to 8-035-20190721 (biodiversity / Net Gain and green infrastructure) and 31-001-20191101 to 31-007-20191101 (light pollution).</i></p>	<p>This policy is consistent with paragraphs 179-182 of the NPPF, which seek to protect and enhance habitats sites, including Special Areas of Conservation.</p> <p>It is also in conformity with paragraph 153 of the NPPF and associated guidance in the NPPF, as it sets out in detail the steps and mitigation measures that will be requested from developments to ensure the conservation of bats.</p>
Policy WP-L9 - New Forest SPA	<p><i>NPPF Paragraphs 8 (sustainable development), 78-79 (rural housing), 126-135 (design) and 20, 92, 153, 174-182, (biodiversity / Net Gain / green infrastructure).</i></p> <p><i>NPPG Paragraphs 67-009-20190722 to 67-010-20190722 (rural housing), 23b-001-20190315 to 23b-038-20190901 (planning obligations), 26-001-20191001 to 26-023-20191001 (design), 8-004-20190721 to 8-035-20190721 (biodiversity / Net Gain and green infrastructure), 8-036-20190721 to 8-042-20190721 (landscape) and 31-001-20191101 to 31-007-20191101 (light pollution).</i></p>	<p>This policy provides clear guidance about protecting and enhancing the New Forest Special Protection Area.</p> <p>The policy also sets out the types of mitigation measures that will be sought from development affecting the SPA together with ways to secure it for the duration of the development's effects, which is in conformity with the relevant paragraphs of the NPPF and the associated guidance in the NPPG.</p>
Policy WP-L10 - The River Blackwater Buffer	<p><i>NPPF Paragraphs 8 (sustainable development), 126-135 (design), 153-168 (flood risk), 130, 185-186 (amenity/pollution) and 174, 179-182 (biodiversity / Net Gain / green infrastructure).</i></p> <p><i>NPPG Paragraphs 26-001-20191001 to 26-023-20191001 (design), 7-001-20140306 to 7-068-20140306 (flood risk), 8-036-20190721 to 8-042-20190721 (landscape), 6-001-20140306 to 6-012-20190315 (climate change), 31-001-20191101 to 31-007-20191101 (light pollution), 53-004-20190722 (healthy communities), 66-006-20190722 to 66-007-20190722 (amenity / daylight), 18a-063-20190723 and 8-004-20190721 to 8-035-20190721 (biodiversity / Net Gain and green infrastructure).</i></p>	<p>This policy reflects and builds upon a range of issues that are addressed in the NPPF including design (section 12), landscape and biodiversity (section 15) and flood risk (section 14).</p> <p>The approach in this policy reflects the unique role that River Blackwater which leads into the River Test and into the Solent beyond plays in the NP Area and the value it represents in both ecological terms and to the local community and visitors. The approach that will be taken to managing development alongside the River Blackwater and within its buffer areas is also set out.</p> <p>This policy is also consistent with paragraphs 174 and 185-186 of the NPPF, as it seeks to deal with the level of pollution that will be generated from future development alongside the River Blackwater.</p>



Policy WP-L11 - Solent and Southampton Water SPA and Solent Maritime SAC	<p><i>NPPF Paragraphs 8 (sustainable development), 78-79 (rural housing), 126-135 (design) and 20, 92, 153, 174-182, (biodiversity / Net Gain / green infrastructure).</i></p> <p><i>NPPG Paragraphs 67-009-20190722 to 67-010-20190722 (rural housing), 23b-001-20190315 to 23b-038-20190901 (planning obligations), 26-001-20191001 to 26-023-20191001 (design), 6-001-20140306 to 6-012-20190315 (climate change), 8-004-20190721 to 8-035-20190721 (biodiversity / Net Gain and green infrastructure), 8-036-20190721 to 8-042-20190721 (landscape) and 31-001-20191101 to 31-007-20191101 (light pollution).</i></p>	<p>This policy is in conformity with paragraph 153 of the NPPF and associated guidance in the NPPG, as it sets out in detail the mitigation measures that will be requested to ensure the reduction of nitrogen pollution in the Solent Region International Sites within the Plan area.</p>
Policy WP-F1 - Flooding and Drainage	<p><i>NPPF Paragraphs 8 (sustainable development) and 153-168 (flood risk)</i></p> <p><i>NPPG Paragraphs 7-001-20140306 to 7-068-20140306 (flood risk) and 6-001-20140306 to 6-012-20190315 (climate change).</i></p>	<p>This policy seeks to minimise flood risk and support sustainable solutions for greywater recycling and discharge of surface and foul water. This relates to locally specific diagrams/ plans of fluvial and surface water flooding in the Plan Area.</p> <p>This is entirely consistent with paragraphs 153 - 168 of the NPPF.</p>
Policy WP-B1 - Non-Designated Heritage Assets and Locally Important Features	<p><i>NPPF Paragraphs 8 (sustainable development), 126-135 (design) and 189-198 (conserving and enhancing the historic environment).</i></p> <p><i>NPPG Paragraphs 18a-001-20190723 to 18a-021-20190723 (historic environment), 26-004-20191001 (design).</i></p>	<p>This policy reflects national policy on conserving and enhancing the historic environment including its heritage asset in the NPPF. In addition, it is consistent with national policy that focuses on preserving existing designated and non-designated heritage assets and supporting high quality design as set out in the NPPF.</p> <p>This policy also refers to evidence of the Neighbourhood Plan, such as the Wellow Parish Character Appraisal &amp; Design Code that can be found at Appendix A. This ensures that this policy reflects the relevant paragraphs of the NPPF and the associated guidance in the NPPG.</p>
Policy WP-B2 - Design and Character	<p><i>NPPF Paragraphs 8 (sustainable development), 119-121 (making effective use of land), 124-125 (density), 126-135 (design), 152-157 (climate change), 174 (landscape), 130, 185 (amenity), 185(c) (dark landscapes), 189-208 (heritage) and 179-182 (biodiversity / Net Gain / green infrastructure).</i></p> <p><i>NPPG Paragraphs 26-001-20191001 to 26-023-20191001 (design), 8-036-20190721 to 8-042-20190721 (landscape), 6-001-20140306 to 66-004-20190722 to 66-005-20190722 (density), 31-001-20191101 to 31-007-20191101 (light pollution), 66-006-20190722 to 66-007-20190722 (amenity / daylight), 18a-001-20190723 to 18a-063-20190723 and 18a-039-2019-0723 to 18a-041-20190723 (heritage) and 8-004-20190721 to 8-035-20190721 (biodiversity / Net Gain and green infrastructure).</i></p>	<p>This policy draws primarily from the Wellow Parish Character Appraisal and Design Code that forms part of the base evidence documents of the NP (Appendix A). It sets out the main requirements that developers need to meet in order to demonstrate a development comprising the conversion of a rural building relates to the character of the specific local area.</p> <p>This policy supports developments that are responsive to the special character of the each special character area, which is in line with paragraphs 126-135 of the NPPF, and seeks to sustain and enhance the significance of buildings of heritage value, as per paragraphs 189-208 of the NPPF.</p>



Policy WP-B3 - Special Character Areas	<p><i>NPPF Paragraphs 8 (sustainable development), 119-121 (making effective use of land), 124-125 (density), 126-135 (design), 152-157 (climate change), 174 (landscape), 130, 185 (amenity), 185(c) (dark landscapes), 189-208 (heritage) and 179-182 (biodiversity / Net Gain / green infrastructure).</i></p> <p><i>NPPG Paragraphs 26-001-20191001 to 26-023-20191001 (design), 8-036-20190721 to 8-042-20190721 (landscape), 6-001-20140306 to 66-004-20190722 to 66-005-20190722 (density), 31-001-20191101 to 31-007-20191101 (light pollution), 66-006-20190722 to 66-007-20190722 (amenity / daylight), 18a-001-20190723 to 18a-063-20190723 and 18a-039-2019-0723 to 18a-041-20190723 (heritage) and 8-004-20190721 to 8-035-20190721 (biodiversity / Net Gain and green infrastructure).</i></p>	<p>This policy identifies 5 Residential Areas of Special Character that have been drawn from the Wellow Parish Character Appraisal and Design Code. It will ensure that developments directly draw upon the guidance on local distinctiveness in the Plan's appendices. Therefore, it will accord with the NPPF and paragraphs 126-130 in particular.</p> <p>It should be noted that the Wellow Parish Character Appraisal and Design Guide also incorporates the guidance in the National Design Guide (2019) and National Model Design Code (2020).</p>
Policy WP-H1 - Housing Need	<p><i>NPPF paragraphs 8 (sustainable development), 60-72 (housing mix and affordability), 78-80 (rural housing), 110 (transport), 119-121 (making effective use of land), 124-125 (density), 126-135 (design), 130 and footnote 49 (space standards)</i></p> <p><i>NPPG Paragraphs 54-003-20141010 to 54-007-20141010 (transport), 67-001-20190722 to 67-015-20210524 (housing need and affordability), 2a-017-20190220 to 2a-024-20190220 (affordable housing need), 63-001-20190626 to 63-019-20190626 (housing for older and disabled people), 56-001-20150327 to 56-023-20160519 (technical standards), 26-001-20191001 to 26-023-20191001 (design), 66-004-20190722 to 66-005-20190722 (density).</i></p>	<p>This policy draws upon policy in the NPPF (paragraph 79 in particular) as well as Neighbourhood Plan evidence in Wellow Parish Character Appraisal and Design Code to develop a policy approach that is consistent with national planning policy and guidance on rural housing developments.</p> <p>The NPPF contains detailed guidance on meeting the accommodation needs of communities through the provision of certain forms of housing development where the need is supported by good evidence. Section 5 of the NPPF and the associated NPPG guidance provide a great deal of detail in this regard and Policy WP-H1 seeks to capture this approach by asking developers to demonstrate how their proposals meet the specific needs of the parish in the Plan area.</p>
Policy WP-H2 - Sites Allocated for Housing Development	<p><i>NPPF paragraphs 8 (sustainable development), 60-72 (housing mix and affordability), 78-80 (rural housing), 119-121 (making effective use of land), 124-125 (density), 126-135 (design), 130 and 185 (amenity)</i></p> <p><i>NPPG Paragraphs 26-001-20191001 to 26-023-20191001 (design), 66-004-20190722 to 66-005-20190722 (density).</i></p>	<p>This policy reflects paragraph 70 of the NPPF, which highlights that "<i>Neighbourhood planning groups should also give particular consideration to the opportunities for allocating small and medium-sized sites suitable for housing in their area.</i>"</p>
Policy WP-H3 - Infill and Redevelopment Sites	<p><i>NPPF paragraphs 8 (sustainable development), 60-72 (housing mix and affordability), 78-80 (rural housing), 119-121 (making effective use of land), 124-125 (density), 126-135 (design) and 185 (amenity)</i></p> <p><i>NPPG Paragraphs 67-009-20190722 to 67-010-20190722 (rural housing), 26-001-20191001 to 26-023-20191001 (design), 8-036-20190721 to 8-042-20190721 (landscape), 66-004-20190722 to 66-005-20190722 (density).</i></p>	<p>This policy seeks to build upon the policies of the development plan in maintaining the special character of the settlements in the Plan area and their associated spatial arrangement and appearance.</p> <p>It draws upon the Wellow Parish Character Appraisal and Design Code to develop a policy approach that is consistent with national planning policy and guidance on infill housing development in rural areas.</p>

Policy WP-H4 - Dwelling Extensions	<p><i>NPPF Paragraphs 8 (sustainable development), 119-121 (making effective use of land), 124-125 (density), 126-135 (design), 185 (amenity) and 189-208 (heritage)</i></p> <p><i>NPPG Paragraphs 26-001-20191001 to 26-023-20191001 (design), 66-004-20190722 to 66-005-20190722 (density), 66-006-20190722 to 66-007-20190722 (amenity / daylight), 18a-001-20190723 to 18a-063-20190723 (heritage) and 18a-039-20190723 to 18a-041-20190723 (non-designated heritage assets)</i></p>	This policy refers to evidence in Appendix A of the Neighbourhood Plan (Wellow Parish Character Appraisal and Design Code). It is directly reflective of the requirements in paragraphs 126 to 129 of the NPPF to the extent that it sets out clearly design expectations and how these will be tested and it refers to the Wellow Parish Character Appraisal and Design Code, which identify the special qualities of each area and explain how this should be reflected in development.
Policy WP-H5 - Replacement dwellings	<p><i>NPPF Paragraphs 8 (sustainable development), 119-121 (making effective use of land), 124-125 (density), 126-135 (design), 185 (amenity) and 189-208 (heritage)</i></p> <p><i>NPPG Paragraphs 26-001-20191001 to 26-023-20191001 (design), 66-004-20190722 to 66-005-20190722 (density), 66-006-20190722 to 66-007-20190722 (amenity / daylight), 18a-001-20190723 to 18a-063-20190723 (heritage) and 18a-039-20190723 to 18a-041-20190723 (non-designated heritage assets)</i></p>	This policy addresses matters which are relevant to the replacement of dwellings in the context of a variety of scenarios and with a variety of impacts that are discussed in detail in the NPPF and NPPG. In particular, it incorporates an open list of circumstances where replacement dwellings will be controlled for heritage and landscape reasons as set out in the NPPF. It also addresses the potential impacts on existing amenity and environmental considerations associated with replacement dwellings, in a way that reflects the policy in the NPPF as well as Planning Practice Guidance.
Policy WP-H6 - Seasonal Workers and Other Temporary Accommodation	<p><i>NPPF Paragraphs 8 (sustainable development), 55, 57-58 (planning obligations), 78-80 (rural housing), 81-85 (economy), 110-113 (transport), 126-135 (design), 185, 187 (amenity / pollution) and 174 (landscape)</i></p> <p><i>NPPG Paragraphs 23b-001-20190315 to 23b-03820190901 (planning obligations), 26-001-20191001 to 26-023-20191001 (design), 41-045020190509 to 41-046-20190509 (infrastructure needs), 66-006-20190722 to 66-007-20190722 (amenity) and 42-001-20140306 to 42-015-20140306 (transport).</i></p>	<p>This policy supports a specific form of employment development by allowing the erection of temporary worker's accommodation provided that a list of criteria that are set out in this policy are met.</p> <p>These criteria reflect the points raised in paragraphs 80-85 of the NPPF and will ensure that the policy supports new employment opportunities and ensure that development will not unacceptably harm the countryside.</p>
Policy WP-T1 - Accessibility, Road Safety and Sustainable Transport	<p><i>NPPF Paragraphs 8 (sustainable development), 104, 110-112 (traffic / highways) and 126-135 (design)</i></p> <p><i>NPPG Paragraphs 42-013-20140306 to 42-015-20140306 (transport) and 26-001-20191001 to 26-023-20191001 (design).</i></p>	<p>The criteria contained in this policy echo the national policy objectives for road safety at paragraphs 104-112 of the NPPF, whilst also referencing good practice in designing for rural locations. The policy accords with national planning policy and guidance in this regard.</p> <p>It specifically identifies roads and junctions where there are particular highway safety concerns and a high number of road traffic incidents to evidence the need for the policy.</p>
Policy WP-T2 - Quiet Lanes	<p><i>NPPF Paragraphs 8 (sustainable development), 104, 110-112 (traffic / highways) and 126-135 (design)</i></p> <p><i>NPPG Paragraphs 42-013-20140306 to 42-015-20140306 (transport), 26-001-20191001 to 26-023-20191001 (design) 53-004-20190722 (healthy communities) and 66-006-20190722 to 66-007-20190722 (amenity).</i></p>	This policy draws mainly from section 8 and 9 of the NPPF and sets out detailed guidance which aims to improve and maintain the quality of life for local residents and ease traffic movements in the NP Plan Area.

Policy WP-C1 - West Wellow Village Centre Improvements	<p><i>NPPF Paragraphs 8 (sustainable development), 104-106 and 110-112 (transport), 119-121 (making effective use of land), 124-125 (density), 126-135 (design), 152-157 (climate change), 130, 185 (amenity), 189-208 (heritage)</i></p> <p><i>NPPG Paragraphs 26-001-20191001 to 26-023-20191001 (design), 6-001-20140306 to 6-012-20190315 (climate change), 66-004-20190722 to 66-005-20190722 (density), 66-006-20190722 to 66-007-20190722 (amenity / daylight), 18a-001-20190723 to 18a-063-20190723 and 18a-039-20190723 to 18a-041-20190723 (heritage) and 42-013-20140306 to 42-015-20140306 (transport).</i></p>	<p>This policy deals with specific elements of design, character, the creation of space, as well as provision for road users, pedestrians and cyclists in the village centres. These all draw upon the equivalent policies in the NPPF and seek to achieve good quality place-making, consistent with the NPPF and sections 2, 7, 8, 9 and 12 in particular.</p>
Policy WP-C2 - Infrastructure Provision	<p><i>NPPF Paragraphs 8 (sustainable development), 55, 57-58 (planning obligations), 58, 123 (viability), 81-85 (the economy), 92-93, 95 (healthy / safe communities), 98-99 (open space / recreation), 187 (pollution)</i></p> <p><i>NPPG Paragraphs 37-003-20140306 (open space and recreation), 41-045-20190509 to 41-046-20190509 (infrastructure needs), 53-00720190722 (delivering sufficient school places), 10-007-20190509 to 10-028-20180724 (viability) and 23b-001-20190315 to 23b-03820190901 (planning obligations).</i></p>	<p>This policy seeks to secure appropriate contributions from developers in order to ensure that development will not have an unacceptable impact to the existing community facilities.</p> <p>This is central to the Government's theme for supporting a prosperous rural economy and encouraging healthy communities (sections 6 and 8 of the NPPF) and it follows the policy approach for planning obligations set out in paragraphs 55, 57-58 of the NPPF.</p>
Policy WP-E1 - Employment Development	<p><i>NPPF Paragraphs 8 (sustainable development), 81-85 (economy), 110-113 (transport), 126-135 (design), 185, 187 (amenity / pollution) and 174 (landscape)</i></p> <p><i>NPPG Paragraphs 8-036-20190721 to 8-042-20190721 (landscape), 26-001-20191001 to 26-023-20191001 (design), 41-045020190509 to 41-046-20190509 (infrastructure needs), 66-006-20190722 to 66-007-20190722 (amenity) and 42-001-20140306 to 42-015-20140306 (transport).</i></p>	<p>The NPPF strongly supports employment deveopment which helps to build a strong, competitive economy (section 6) and policy WP-E1 supports all proposals for employment opportunities in the Plan area, other than proposals for equestrian development, which is covered by a separate policy.</p>

## 4 CONTRIBUTION TO SUSTAINABLE DEVELOPMENT

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

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

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

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

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

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

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

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

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

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



Policy Number, Category and Description		Achievement of Sustainable Development		
Sustainable Development		Economic	Social	Environmental
WP-S1	Renewable Energy Development	++	+	++
Landscape Character and Value		Economic	Social	Environmental
WP-L1A	Landscape Character Within the National Park	0	++	++
WP-L1B	Landscape Character Outside of the National Park	0	++	++
WP-L2	Equestrian Facilities	0	++	++
WP-L3	Local Green Spaces	0	++	++
WP-L4	Important Views	0	++	++
WP-L5	Green and Blue Infrastructure	0	++	++
WP-L6	Dark Night Skies	0	++	++
WP-L7	Biodiversity	0	++	++
WP-L8	Mottisfont Bats	0	++	++
WP-L9	New Forest Special Protection Area	0	++	++
WP-L10	The River Blackwater	0	++	++
WP-L11	Solent and Southampton Water SPA and Solent Maritime SAC	0	++	++
Flooding and Drainage		Economic	Social	Environmental
WP-F1	Flooding and Drainage	0	++	++
Design and Heritage		Economic	Social	Environmental
WP-B1	Non-Designated Heritage Assets and Locally Important Features	+	++	++
WP-B2	Design and Character	+	++	++
WP-B3	Special Character Areas	0	++	++
Housing		Economic	Social	Environmental
WP-H1	Housing Need	+	++	0
WP-H2	Sites Allocated for Housing Development	+	++	0
WP-H3	Infill and Redevelopment Sites	+	++	0
WP-H4	Dwelling Extensions	+	++	0
WP-H5	Replacement dwellings	+	++	0
WP-H6	Seasonal Workers and Other Temporary Accommodation	+	++	0
Highways & Infrastructure		Economic	Social	Environmental
WP-T1	Accessibility, Road Safety and Sustainable Transport	0	++	++
WP-T2	Quiet Lanes	0	++	+
Community and Employment		Economic	Social	Environmental
WP-C1	West Wellow Village Centre Improvements	++	++	+
WP-C2	Infrastructure Provision	0	++	+
WP-C3	Employment Development	++	++	0

## 5 CONFORMITY WITH STRATEGIC POLICIES

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

The Development Plan in the New Forest National Park consists of the New Forest National Park Local Plan 2016 - 2036, which was adopted on 29<sup>th</sup> August 2019.

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

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

NP Policy Number and Title	Test Valley Revised Local Plan 2011 - 2029 DPD Strategic Policy and New Forest National Park Local Plan 2016 - 2036	Comment on Conformity
Policy WP-S1 - Renewable Energy	<p><i>TVBCLP Policies: SD1: Presumption in Favour of Sustainable Development; E2: Protect, Conserve and Enhance the Landscape Character of the Borough; E5: Biodiversity; E8: Pollution; E9: Heritage; LHW4: Amenity and T1: Managing Movements</i></p> <p><i>NFNPLP Policies: SP1: Supporting sustainable development; SP11: Climate change and SP14: Renewable energy</i></p>	<p>This policy reflects the latest government policy and guidance on climate change and seeks to promote renewable energy installations where they do not cause unacceptable harm to the landscape and rural character of the Plan Area as set out in the WCADC. It also highlights that appropriate renewable projects backed by the local community will be positively received.</p> <p>This approach is considered to be consistent with the following policies of the TVBCLP: SD1, E2, E5, E8, E9, LHW4 and T1 and the policies of the NFNPLP: SP1, SP11 and SP14.</p>
Policy WP-L1A - Landscape Character in the National Park	<p><i>TVBCLP Policies: SD1: Presumption in Favour of Sustainable Development; E2: Protect, Conserve and Enhance the Landscape Character of the Borough; E5: Biodiversity and E8: Pollution</i></p> <p><i>NFNPLP Policies: SP1: Supporting sustainable development; DP34: Residential character of the Defined Villages; SP5: Nature conservation sites of international importance; SP6: The natural environment; SP7: Landscape character; SP15: Tranquility; SP17: Local distinctiveness and DP49: Re-use of buildings outside the Defined Villages</i></p>	<p>This policy seeks to retain the distinct rural character and intrinsic beauty of the valued landscapes and countryside, to recognise the role they play in providing a setting to the New Forest National Park, and to recognise the important contribution the landscapes make to the distinctive character and identity of the settlements of the Plan area.</p> <p>The value of the landscapes that are identified is influenced by the landscape form, vegetation, biodiversity, and design of built development. These are all matters that are addressed in the development plan and the approach adopted by policy WP-L1A is in general conformity with the policies that deal with these matters, including TVBCLP policies SD1, E2, E5 and E8 and NFNPLP policies SP1, DP34, SP5, SP6, SP7, SP15, SP17 and DP49.</p>

Policy WP-L1B - Landscape Character outside of the National Park	<p><i>TVBCLP Policies: SD1: Presumption in Favour of Sustainable Development; E2: Protect, Conserve and Enhance the Landscape Character of the Borough; E5: Biodiversity; E8: Pollution and E9: Heritage</i></p> <p><i>NFNPLP Policies: SP1: Supporting sustainable development; SP5: Nature conservation sites of international importance; SP6: The natural environment; SP7: Landscape character; SP15: Tranquility; SP16: The historic and built environment and SP17: Local distinctiveness</i></p>	<p>This policy identifies the former New Forest Heritage Area, as the Wellow Landscape Heritage Area valued landscape and seeks to manage the effects of development to ensure that the valuable landscape characteristics of the area are preserved.</p> <p>This approach is in general conformity with the approach that is set out in TVBCLP policies SD1, E2, E5, E8 and E9 and NFNPLP policies SP1, SP5, SP6, SP7, SP15, SP16 and SP17.</p>
Policy WP-L2 - Equestrian Facilities	<p><i>TVBCLP Policies: SD1: Presumption in Favour of Sustainable Development; E2: Protect, Conserve and Enhance the Landscape Character of the Borough; E5: Biodiversity; E8: Pollution and T1: Managing Movements</i></p> <p><i>NFNPLP Policies: SP1: Supporting sustainable development; SP5: Nature conservation sites of international importance; SP6: The natural environment; SP7: Landscape character; SP15: Tranquility; SP16: The historic and built environment; SP17: Local distinctiveness and DP51: Recreational horse keeping; DP52: Field shelters and stables; DP53: Maneges;</i></p>	<p>This policy seeks to support equestrian related development and sets out a list of criteria that will ensure the rural character of the countryside of Wellow Parish will be preserved.</p> <p>This reflects the policy approach in TVBCLP policies SD1, E2, E5, E8 and T1 and NFNPLP policies SP1, SP5, SP6, SP7, SP15, SP16, DP51, DP52, and DP53 and it is accordingly considered that this policy is in general conformity with the above development plan policies.</p>
Policy WP-L3 - Local Green Spaces	<p><i>TVBCLP Policies: SD1: Presumption in Favour of Sustainable Development; E4: Residential Areas of Special Character; E5: Biodiversity; E6: Green Infrastructure and LHW4: Amenity</i></p> <p><i>NFNPLP Policies: SP1: Supporting sustainable development; DP10: Open space; SP5: Nature conservation sites of international importance; SP6: The natural environment; SP9: Green infrastructure and SP15: Tranquility</i></p>	<p>The policy reflects national policies and lists a number of green spaces that are proposed for designation, due to their compliance with the criteria set out in the NPPF and the benefits they provide to the local community.</p> <p>Consequently, it is considered that this policy is in conformity with the strategic policies of the TVBCLP and NFNPLP that are set out in the column to the left.</p>
Policy WP-L4 - Important Views	<p><i>TVBCLP Policies: SD1: Presumption in Favour of Sustainable Development; E1: High Quality Development in the Borough; E2: Protect, Conserve and Enhance the Landscape Character of the Borough; E3: Local Gaps; E4: Residential Areas of Special Character and E5: Biodiversity</i></p> <p><i>NFNPLP Policies: SP1: Supporting sustainable development; SP5: Nature conservation sites of international importance; SP6: The natural environment; SP7: Landscape character; SP15: Tranquility; and SP17: Local distinctiveness</i></p>	<p>This policy identifies Important Views and seeks to manage the effect of development on the character on the landscape and to respond positively to the Important Views.</p> <p>This reflects the policy approach in TVBCLP policies SD1, E1, E2, E3, E4 and E5 and NFNPLP policies SP1, SP5, SP6, SP7, SP15 and SP17. Therefore, this policy is considered to be in general conformity with the above policies.</p>
Policy WP-L5 - Green and Blue Infrastructure	<p><i>TVBCLP Policies: SD1: Presumption in Favour of Sustainable Development; E1: High Quality Development in the Borough; E5: Biodiversity; E6: Green Infrastructure; LHW4: Amenity</i></p> <p><i>NFNPLP Policies: SP1: Supporting sustainable development; DP8: Safeguarding and improving water resources; DP10: Open space; SP5: Nature conservation sites of international importance; SP6: The natural environment; SP7: Landscape character; SP9: Green infrastructure; SP15: Tranquility; and SP17: Local distinctiveness</i></p>	<p>Green and Blue features of amenity value within the NP Area, as described in the WCADC, are considered a significant local asset and this policy seeks to protect these elements from development that would have an unacceptable harm to it. It also sets out a number of criteria, which provide additional information on proposals for replacement or new tree planting.</p> <p>Accordingly, this policy is in conformity with TVBCLP policies SD1, E1, E5, E6 and LHW4 and NFNPLP policies SP1, DP8, DP10, SP5, SP6, SP7, SP9, SP15, SP17.</p>

Policy WP-L6 - Dark Night Skies	<p><i>TVBCLP Policies: SD1: Presumption in Favour of Sustainable Development; E2: Protect, Conserve and Enhance the Landscape Character of the Borough; E8: Pollution and LHW4: Amenity</i></p> <p><i>NFNPLP Policies: SP1: Supporting sustainable development; SP5: Nature conservation sites of international importance; SP6: The natural environment; SP7: Landscape character; SP15: Tranquility; and SP17: Local distinctiveness</i></p>	<p>The Plan area has been identified to benefit from low levels of light pollution and consequently enjoys relatively dark skies at night. This policy aims to conserve the existing relative tranquil environment and enhance it by preventing excessive light spill in areas that are dark at night. Policies SD1, E2, E8 and LHW4 of the TVBCLP and policies SP1, SP5, SP6, SP7, SP15 and SP17 of the NFNPLP are supportive of this statement, and thus it is considered that policy WP-L6 is in general conformity with the above development plan policies.</p>
Policy WP-L7 - Biodiversity	<p><i>TVBCLP Policies: SD1: Presumption in Favour of Sustainable Development; E2: Protect, Conserve and Enhance the Landscape Character of the Borough and E5: Biodiversity</i></p> <p><i>NFNPLP Policies: SP1: Supporting sustainable development; SP5: Nature conservation sites of international importance; SP6: The natural environment; SP7: Landscape character; SP15: Tranquility; and SP17: Local distinctiveness</i></p>	<p>The NP Area contains a wide variety of statutory and non-statutory designated sites, as well as numerous priority habitats and biodiversity opportunity areas identified and this policy seeks to protect them from any unacceptable harm. The policy also suggests that development delivers a biodiversity net gain of at least 10%, which accords with NPPF Paragraphs 170(d), 174(b) and 175(d).</p> <p>Therefore, policy WP-L7 is considered to be in conformity with TVBCLP policies SD1, E2, and E5 and NFNPLP policies SP1, SP5, SP6, SP7, SP15 and SP17.</p>
Policy WP-L8 - Mottisfont Bats	<p><i>TVBCLP Policies: SD1: Presumption in Favour of Sustainable Development; E2: Protect, Conserve and Enhance the Landscape Character of the Borough; E5: Biodiversity and E8: Pollution</i></p> <p><i>NFNPLP Policies: SP1: Supporting sustainable development; SP5: Nature conservation sites of international importance; SP6: The natural environment; SP7: Landscape character; SP15: Tranquility; SP17: Local distinctiveness and DP49: Re-use of buildings outside the Defined Villages</i></p>	<p>Wellow Parish lies within the zone of influence of the Mottisfont Bats SAC and its woodlands have been identified to support rare species of bats. Policy WP-L8 set out a number of requirements, which aim to make new development take into account the various species of bats and ensure that appropriate measures are put in place to protect and enhance their habitat.</p> <p>This approach reflects the objectives that are set out in TVBCLP policies SD1, E2, E5 and E8 and NFNPLP policies SP1, SP5, SP6, SP7, SP15, SP17 and DP49.</p>
Policy WP-L9 - New Forest SPA	<p><i>TVBCLP Policies: SD1: Presumption in Favour of Sustainable Development; E2: Protect, Conserve and Enhance the Landscape Character of the Borough; E5: Biodiversity and E8: Pollution</i></p> <p><i>NFNPLP Policies: SP1: Supporting sustainable development; DP49: Re-use of buildings outside the Defined Villages; SP5: Nature conservation sites of international importance; SP6: The natural environment; SP7: Landscape character; SP15: Tranquility; and SP17: Local distinctiveness</i></p>	<p>The New Forest SPA has been designated to protect certain bird species which occur frequently in the New Forest area, but are otherwise rare or declining.</p> <p>This policy seeks to ensure that proposals for new residential and tourism developments within or in close proximity to the SPA will provide appropriate forms of mitigation measures, such as financial contributions, to preserve the unique and tranquil character of the protected area.</p> <p>This policy reflects the approach that has been adopted by TVBCLP policies SD1, E2, E5 and E8 and NFNPLP policies SP1, SP5, SP6, SP7, SP15, SP17, DP34 and and therefore it is considered that it is in general conformity with these policies.</p>
Policy WP-L10 - The River Blackwater Buffer	<p><i>TVBCLP Policies: SD1: Presumption in Favour of Sustainable Development; E7: Water Management and E8: Pollution</i></p> <p><i>NFNPLP Policies: SP1: Supporting sustainable development; DP8: Safeguarding and improving water resources; SP5: Nature conservation sites of international importance and SP6: The natural environment</i></p>	<p>The River Blackwater is a distinctive feature of the NP Area (and leads to River Test SSSI and the Solent Maritime SAC, Solent and Southampton Water SPA / RAMSAR) and this policy seeks to protect the watercourse from unacceptable harm that would be caused from any type of development.</p> <p>This approach reflects the objectives that are set out in TVBCLP policies SD1, E7 and E8 and NFNPLP policies SP1, DP8, SP5 and SP6.</p>



Policy WP-L11 - Solent and Southampton Water SPA and Solent Maritime SAC	<p><i>TVBCLP Policies: SD1: Presumption in Favour of Sustainable Development; E8: Pollution and LHW4: Amenity</i></p> <p><i>NFNPLP Policies: SP1: Supporting sustainable development; DP8: Safeguarding and improving water resources; SP5: Nature conservation sites of international importance; SP6: The natural environment; SP7: Landscape character; SP15: Tranquility and SP17: Local distinctiveness</i></p>	<p>The NP Plan Area lies within the Solent Catchment area, which was announced to be at risk from nutrients by Natural England. This policy aims to provide guidance to developers on what mitigation measures will be appropriate and to ensure that all new developments within the area will achieve nutrient neutrality.</p> <p>This policy can be considered in conformity with TVBCLP policies SD1, E8 and LHW4 and NFNPLP policies SP1, DP8, SP5, SP6, SP7, SP15 and SP17 as it seeks to protect and maintain a safe environment for the local community.</p>
Policy WP-F1 - Flooding and Drainage	<p><i>TVBCLP Policies: SD1: Presumption in Favour of Sustainable Development; E1: High Quality Development in the Borough and E7: Water Management</i></p> <p><i>NFNPLP Policies: SP1: Supporting sustainable development and DP12: Flood risk</i></p>	<p>Policy WP-F1 reflects Local Plan Policy E7 and seeks to redirect development away from areas that are liable of flooding as shown on the maps within the Plan. It also provides additional guidance on other related issues, such as harvesting / discharge of surface water and foul water drainage.</p> <p>It is considered that the above approach is in general conformity with TVBCLP policies SD1, E1 and E7 and NFNPLP policies SP1 and DP12</p>
Policy WP-B1 - Non-Designated Heritage Assets and Locally Important Features	<p><i>TVBCLP Policies: SD1: Presumption in Favour of Sustainable Development; E1: High Quality Development in the Borough; E2: Protect, Conserve and Enhance the Landscape Character of the Borough; E4: Residential Areas of Special Character and E9: Heritage</i></p> <p><i>NFNPLP Policies: SP1: Supporting sustainable development; SP7: Landscape character; SP16: The historic and built environment; DP18: Design Principles and SP17: Local distinctiveness</i></p>	<p>This policy identifies the designated and non-designated heritage assets of the NP Area as described in the WCADC and described in Appendix F of the base evidence of this NP. It sets out what will be required from development to be considered compatible with their unique features, characteristics or elements.</p> <p>Consequently, the policy is in conformity with TVBCLP policies SD1, E1, E2, E4 and E9 and NFNPLP policies SP1, SP7, SP16, DP18 and SP17.</p>
Policy WP-B2 - Design and Character	<p><i>TVBCLP Policies: SD1: Presumption in Favour of Sustainable Development; LE16: Re-Use of Buildings in the Countryside; E1: High Quality Development in the Borough; E4: Residential Areas of Special Character; E9: Heritage and LHW4: Amenity</i></p> <p><i>NFNPLP Policies: SP1: Supporting sustainable development; DP2: General development principles; SP7: Landscape character; SP16: The historic and built environment; DP18: Design Principles; SP17: Local distinctiveness; DP34: Residential character of the Defined Villages and DP49: Re-use of buildings outside the Defined Villages</i></p>	<p>This policy draws upon the WCADC that has been prepared for Wellow NP and seeks to create a framework, which will preserve or enhance the locally specific features which positively enhance the individual character of the settlements and countryside.</p> <p>Accordingly, it is considered that policy WP-B2 is in general conformity with TVBCLP policies SD1, E1, E4, E9 and LHW4 and NFNPLP policies SP1, DP2, SP7, SP16, DP18, SP17, DP34 and DP49.</p>
Policy WP-B3 - Special Character Areas	<p><i>TVBCLP Policies: SD1: Presumption in Favour of Sustainable Development; COM2: Settlement Hierarchy; COM10: Occupational Accommodation for Rural Workers in the Countryside; COM11: Existing Dwellings and Ancillary Domestic Buildings in the Countryside; COM12: Replacement Dwellings in the Countryside; LE16: Re-Use of Buildings in the Countryside; LE17: Employment Sites in the Countryside; E1: High Quality Development in the Borough; E2: Protect, Conserve and Enhance the Landscape Character of the Borough; E3:</i></p>	<p>Policy WP-B3 identifies 5 Residential Areas of Special Character based on the distinctive features, characteristics or elements which have been found in Wellow Parish. This policy will help to maintain the separate identities of each of the settlements in the Plan area as described in the WCADC.</p> <p>This approach is consistent with the policy approach in the development plan policies identified in the column to the left, particularly those in relation to settlement hierarchy COM2 and landscape policies.</p>



	<p><i>Local Gaps and E4: Residential Areas of Special Character</i></p> <p><i>NFNPLP Policies: SP1: Supporting sustainable development; SP19: New residential development in the National Park; DP2: General development principles; SP7: Landscape character; SP16: The historic and built environment; SP17: Local distinctiveness; DP18: Design Principles; SP28: Rural exceptions sites; SP29: New Forest commoners' dwellings; SP30: New Forest estate workers' dwellings; DP31: Agricultural and forestry workers' dwellings; DP34: Residential character of the Defined Villages; DP35: Replacement dwellings; DP36: Extensions to dwellings and DP49: Re-use of buildings outside the Defined Villages</i></p>	
Policy WP-H1 - Housing Need	<p><i>TVBCLP Policies: SD1: Presumption in Favour of Sustainable Development; COM1: Housing Provision 2011 - 2029; COM2: Settlement Hierarchy; COM10: Occupational Accommodation for Rural Workers in the Countryside; COM11: Existing Dwellings and Ancillary Domestic Buildings in the Countryside; COM12: Replacement Dwellings in the Countryside; E1: High Quality Development in the Borough; E2: Protect, Conserve and Enhance the Landscape Character of the Borough; E3: Local Gaps; E4: Residential Areas of Special Character and LHW4: Amenity</i></p> <p><i>NFNPLP Policies: SP1: Supporting sustainable development; SP4: Spatial strategy; SP19: New residential development in the National Park; DP2: General development principles; SP7: Landscape character; SP17: Local distinctiveness; DP18: Design Principles; SP27: Affordable housing provision within the Defined Villages and on allocated sites; SP28: Rural exceptions sites; SP29: New Forest commoners' dwellings; SP30: New Forest estate workers' dwellings; DP31: Agricultural and forestry workers' dwellings; DP34: Residential character of the Defined Villages; DP35: Replacement dwellings; DP36: Extensions to dwellings and DP49: Re-use of buildings outside the Defined Villages</i></p>	<p>This policy draws from the local housing needs survey that is included as Appendix B in the base evidence of the Wellow NP and provides a number of criteria for appropriate development and encourages developers to use them in order to justify their proposals. This approach is considered to be consistent with both national and development plan policies, which seek to promote high quality design and healthy and safe communities.</p> <p>Therefore, it is considered that Policy WP-H1 is in general conformity with TVBCLP policies SD1, COM2, COM10, COM11, COM12, E1, E2, E3, E4 and LHW4 and NFNPLP policies SP1, SP4, SP19, DP2, SP7, SP17, DP18, SP27, SP28, SP29, SP30, DP31, DP34, DP35, DP36 and DP49.</p>
Policy WP-H2 - Sites Allocated for Housing Development	<p><i>TVBCLP Policies: SD1: Presumption in Favour of Sustainable Development; COM2: Settlement Hierarchy; COM7: Affordable Housing; COM15: Infrastructure; E1: High Quality Development in the Borough; E4: Residential Areas of Special Character; LHW4: Amenity and T1: Managing Movement</i></p> <p><i>NFNPLP Policies: SP1: Supporting sustainable development; SP4: Spatial strategy; SP19: New residential development in the National Park; DP2: General development principles; SP17: Local distinctiveness; DP18: Design Principles; SP27: Affordable housing provision within the Defined Villages and on allocated sites; DP34: Residential character of the Defined Villages and DP49: Re-use of buildings outside the Defined Villages</i></p>	<p>Policy WP-H2 allocates two sites for residential development that will deliver both market and affordable housing in Wellow, which will help meeting the housing needs of the local community. The selection of the sites was based on the Site Assessment (Appendix C) that was undertaken for the Plan area and forms part of the base evidence for this NP.</p> <p>This policy reflects the objectives that are set out by the policies of the adopted local plan and accordingly the policy is in conformity with development plan policies that are identified in the column to the left.</p>

Policy WP-H3 - Infill and Redevelopment Sites	<p><i>Policies: SD1: Presumption in Favour of Sustainable Development; COM1: Housing Provision 2011 - 2029; COM2: Settlement Hierarchy; COM7: Affordable Housing; COM8: Rural Exception Affordable Housing; COM9: Community Led Development; COM15: Infrastructure; E1: High Quality Development in the Borough; E2: Protect, Conserve and Enhance the Landscape Character of the Borough; LHW4: Amenity and T1: Managing Movement</i></p> <p><i>NFNPLP Policies: SP1: Supporting sustainable development; SP4: Spatial strategy; SP19: New residential development in the National Park; DP2: General development principles; SP17: Local distinctiveness; DP18: Design Principles; SP27: Affordable housing provision within the Defined Villages and on allocated sites; DP34: Residential character of the Defined Villages; DP35: Replacement dwellings; DP36: Extensions to dwellings and DP49: Re-use of buildings outside the Defined Villages</i></p>	<p>This policy draws from the WCADC and seeks to build upon the policies of the development plan, in particular policy COM2, by maintaining the special character of the settlements in the Plan area.</p> <p>This approach is considered to be in general conformity with development plan policies that are listed in the column to the left.</p>
Policy WP-H4 - Dwelling Extensions	<p><i>TVBCLP Policies: SD1: Presumption in Favour of Sustainable Development; COM2: Settlement Hierarchy; COM11: Existing Dwellings and Ancillary Domestic Buildings in the Countryside; E1: High Quality Development in the Borough; E2: Protect, Conserve and Enhance the Landscape Character of the Borough and LHW4: Amenity</i></p> <p><i>NFNPLP Policies: SP1: Supporting sustainable development; SP4: Spatial strategy; SP19: New residential development in the National Park; DP2: General development principles; SP17: Local distinctiveness; DP18: Design Principles; DP34: Residential character of the Defined Villages and DP36: Extensions to dwellings</i></p>	<p>Policy WP-H4 seeks to ensure that development proposals are designed by taking into account the guidance contained in the WCADC.</p> <p>This approach is in general conformity with the development plan policies in the column to the left and in particular with policies E1, E2 and LHW4 from the TVBCLP and policies DP34 and DP36 from the NFNPLP.</p>
Policy WP-H5 - Replacement dwellings	<p><i>TVBCLP Policies: SD1: Presumption in Favour of Sustainable Development; COM2: Settlement Hierarchy; COM12: Replacement Dwellings in the Countryside; E1: High Quality Development in the Borough; E2: Protect, Conserve and Enhance the Landscape Character of the Borough; E9: Heritage and LHW4: Amenity</i></p> <p><i>NFNPLP Policies: SP1: Supporting sustainable development; SP4: Spatial strategy; SP19: New residential development in the National Park; DP2: General development principles; SP17: Local distinctiveness; DP18: Design Principles; DP34: Residential character of the Defined Villages and DP35: Replacement dwellings</i></p>	<p>This policy deals with heritage, landscape, amenity and built environment aspects of replacement dwellings.</p> <p>This approach in the policy seeks to protect the heritage assets that are found to be in the best condition from replacement, and to allow the replacement of other dwellings of heritage / landscape / design value provided that they comply with several criteria, such as the avoidance of giving rise to adverse amenity impacts.</p> <p>It is considered that these principles are all in general conformity with the development plan policies listed in the column to the left.</p>
Policy WP-H6 - Seasonal Workers and Other Temporary Accommodation	<p><i>TVBCLP Policies: SD1: Presumption in Favour of Sustainable Development; COM2: Settlement Hierarchy; COM10: Occupational Accommodation for Rural Workers in the Countryside; COM11: Existing Dwellings and Ancillary Domestic Buildings in the Countryside; COM12: Replacement Dwellings in the Countryside; LE16: Re-Use of Buildings in the Countryside; LE17:</i></p>	<p>This policy supports the creation of temporary accommodation for seasonal workers provided that a number of requirements are met. This approach is in accordance with both national and local plan policies, which seek to restrict housing development in the countryside and help local businesses to meet their business need.</p>

	<p><i>Employment Sites in the Countryside; E1: High Quality Development in the Borough; E2: Protect, Conserve and Enhance the Landscape Character of the Borough and LHW4: Amenity</i></p> <p><i>NFNPLP Policies: SP1: Supporting sustainable development; SP4: Spatial strategy; SP19: New residential development in the National Park; DP2: General development principles; SP17: Local distinctiveness; DP18: Design Principles; SP29: New Forest commoners' dwellings; SP30: New Forest estate workers' dwellings; DP31: Agricultural and forestry workers' dwellings; and DP49: Re-use of buildings outside the Defined Villages</i></p>	<p>This approach is considered to be in general conformity with the development plan policies that are identified in the column to the left and in particular with policy COM 10 of the TVBCLP and policies SP29, SP30 and DP31 of the NFNPLP.</p>
Policy WP-T1 - Accessibility, Road Safety and Sustainable Transport	<p><i>TVBCLP Policies: SD1: Presumption in Favour of Sustainable Development; COM15: Infrastructure; T1: Managing Movement and T2: Parking Standards</i></p> <p><i>NFNPLP Policies: SP1: Supporting sustainable development; SP4: Spatial strategy; DP2: General development principles; DP18: Design Principles; SP54 Transport infrastructure and SP55: Access</i></p>	<p>Policy WP-T1 sets out a number of criteria that are required to be met in order to promote sustainable travel and ensure that development will have an adverse impact on highway safety. This policy's criteria also deal with parking, accessibility and safety matters.</p> <p>This approach is considered to be in general conformity with TVBCLP policies SD1, COM15, T1 and T2 and NFNPLP policies SP1, SP4, DP2, DP18, SP54 and SP55.</p>
Policy WP-T2 - Quiet Lanes	<p><i>TVBCLP Policies: SD1: Presumption in Favour of Sustainable Development; COM14: Community Services and Facilities; COM15: Infrastructure; E1: High Quality Development in the Borough and T1: Managing Movement</i></p> <p><i>NFNPLP Policies: SP1: Supporting sustainable development; SP4: Spatial strategy; DP2: General development principles; DP18: Design Principles; SP38: Infrastructure provision and developer contributions; SP39: Local community facilities; SP54 Transport infrastructure and SP55: Access</i></p>	<p>This policy identifies a number of narrow lanes as "Narrow Rural Lanes". It sets out a number of requirements, which urges future development to meet in order to preserve their quiet nature and rural character.</p> <p>This approach reflects the objectives of TVBCLP policies SD1, COM14, COM15, E1 and T1 and NFNPLP policies SP1, SP4, DP2, DP18, SP38, SP39 and SP54 which seek the creation of safe and accessible communities. Therefore, it is considered that policy WP-T2 is in general conformity with the above policies.</p>
Policy WP-C1 - West Wellow Village Centre Improvements	<p><i>TVBCLP Policies: SD1: Presumption in Favour of Sustainable Development; COM14: Community Services and Facilities; COM15: Infrastructure; E1: High Quality Development in the Borough; LHW4: Amenity and T1: Managing Movement</i></p> <p><i>NFNPLP Policies: SP1: Supporting sustainable development; SP4: Spatial strategy; DP18: Design Principles; SP38: Infrastructure provision and developer contributions; SP39: Local community facilities and SP55: Access</i></p>	<p>Policy WP-C1 seeks the improvement to the West Wellow Village Centre through improvements to parking and highway safety, the creation of spaces for social interaction and access to local facilities. These are all measures that are also addressed in the TVBCLP in policies SD1, COM14, COM15, E1, LHW4 and T1 and in the NFNPLP in policies SP1, SP4, DP18, SP38, SP39 and SP55.</p> <p>Therefore, it is considered that this policy is in general conformity with the aforementioned development plan policies.</p>
Policy WP-C2 - Infrastructure Provision	<p><i>TVBCLP Policies: SD1: Presumption in Favour of Sustainable Development; COM14: Community Services and Facilities; COM15: Infrastructure; E1: High Quality Development in the Borough and T1: Managing Movement</i></p> <p><i>NFNPLP Policies: SP1: Supporting sustainable development; SP4: Spatial strategy; SP38: Infrastructure provision and developer contributions; SP39: Local community facilities and SP55: Access</i></p>	<p>This policy provides clear guidance about supporting the provision / enhancement of village facilities where a need arises due to additional pressure / use due to new development taking place. It also takes into account the List of Infrastructure Projects and Community Aspirations (Appendix H) that forms part of the evidence base of the Wellow NP, which sets out the facilities in the Parish that require improvement as per the suggestion of the local community.</p>



		Therefore, it is considered that this policy is in general conformity with TVBCLP policies SD1, COM14, COM15, E1 and T1 and NFNPLP policies SP1, SP4, SP38, SP39 and SP55.
Policy WP-E1 - Employment Development	<p><i>TVBCLP Policies: SD1: Presumption in Favour of Sustainable Development; LE10: Retention of Employment Land and Strategic Employment Sites; LE16: Re-Use of Buildings in the Countryside; LE17: Employment Sites in the Countryside; LE18: Tourism; E2: Protect, Conserve and Enhance the Landscape Character of the Borough; LHW4: Amenity and T1: Managing Movement</i></p> <p><i>NFNPLP Policies: SP1: Supporting sustainable development; SP4: Spatial strategy; DP18: Design Principles; DP40: Change of use from retail in the Defined Villages; DP41: Retail development outside the Defined Villages; SP42: Business and employment development; and SP55: Access</i></p>	<p>There are no specific employment areas designated in the NP Area, however there are a number of small business that are scattered throughout. The policy draws from the base evidence of the Wellow NP and specifically the Survey of local employment and businesses (Appendix D) that was carried out in November 2020 together with the latest Census employment data and seeks to encourage the creation of new business opportunities in the whole of the NP Area, provided that proposals meet a certain list of criteria that will ensure that there will be no unacceptable harm to the rural environment.</p> <p>Therefore, it is considered that policy WP-E1 is in general conformity with TVBCLP policies SD1, LE10, LE16, LE17, LE18, E2, LHW4 and T1 and NFNPLP policies SP1, SP4, DP18, DP40, DP41, SP42, SP55.</p>

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

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

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

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

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

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

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

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

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



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

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

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

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

### **Human Rights Act 1998**

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

These rights can be summarised as follows:

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

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

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

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

### **Other EU Obligations as Transposed into UK Legislation**

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

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

## Equality

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

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

## 7 CONCLUSIONS

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

## APPENDIX A EQUALITY IMPACT ASSESSMENT

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

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

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

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

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



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

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

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

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

**Wellow NDP Basic Condition Statement - Submission Draft August 2023 Version 3.0**

Policy reference	Policy Description	Age	Disability	Gender reassignment	Marriage and civil partnership	Race	Religion and belief	Sex	Sexual orientation	Pregnancy and maternity	Comments
<b>Sustainable Development</b>											
WP-S1	Renewable Energy Development	0	0	0	0	0	0	0	0	0	
<b>Landscape Character and Value</b>											
WP-L1A	Landscape Character Within the National Park	0	0	0	0	0	0	0	0	0	
WP-L1B	Landscape Character Outside of the National Park	0	0	0	0	0	0	0	0	0	
WP-L2	Equestrian Facilities	+	+	0	0	0	0	0	0	0	Policy has potential to improve road safety and accessibility for all road users of all ages and those with disability
WP-L3	Local Green Spaces	+	+	0	0	0	0	0	0	0	Policy protects valued spaces / recreation facilities which are available to various age groups and those with disabilities
WP-L4	Important Views	0	0	0	0	0	0	0	0	0	
WP-L5	Green and Blue Infrastructure	0	0	0	0	0	0	0	0	0	
WP-L6	Dark Night Skies	0	0	0	0	0	0	0	0	0	
WP-L7	Biodiversity	0	0	0	0	0	0	0	0	0	
WP-L8	Mottisfont Bats	0	0	0	0	0	0	0	0	0	
WP-L9	New Forest Special Protection Area	0	0	0	0	0	0	0	0	0	
WP-L10	The River Blackwater	0	+	0	0	0	0	0	0	0	Policy supports improved quality of and links to the defined riverside buffer area
WP-L11	Solent and Southampton Water SPA and Solent Maritime SAC	0	0	0	0	0	0	0	0	0	
<b>Flooding and Drainage</b>											
WP-F1	Flooding and Drainage	0	0	0	0	0	0	0	0	0	
<b>Design and Heritage</b>											
WP-B1	Non-Designated Heritage Assets and Locally Important Features	0	0	0	0	0	0	0	0	0	
WP-B2	Design and Character	+	+	0	0	0	0	0	0	0	Policy supports the provision of improved access and accessibility to new development, including conversions
WP-B3	Special Character Areas	0	0	0	0	0	0	0	0	0	
<b>Housing</b>											
WP-H1	Housing Need	+	+	0	+	0	0	0	0	0	Policy sets out the community's housing needs and requires from developers to demonstrate strict adherence to the Nationally Described Space Standard
WP-H2	Sites Allocated for Housing Development	+	+	0	+	0	0	0	0	0	Policy supports the allocation of land for residential development in order to meet the housing needs of the community
WP-H3	Infill and Redevelopment Sites	0	0	0	0	0	0	0	0	0	
WP-H4	Dwelling Extensions	0	0	0	0	0	0	0	0	0	
WP-H5	Replacement dwellings	0	0	0	0	0	0	0	0	0	
WP-H6	Seasonal Workers and Other Temporary Accommodation	0	0	0	0	0	0	0	0	0	
<b>Highways &amp; Infrastructure</b>											
WP-T1	Accessibility, Road Safety and Sustainable Transport	+	+	0	0	0	0	0	0	0	Policy supports the provision of improved access , accessibility and parking
WP-T2	Quiet Lanes	0	0	0	0	0	0	0	0	0	
<b>Community and Employment</b>											
WP-C1	West Wellow Village Centre Improvements	+	0	0	0	0	0	0	0	0	Policy supports improved access and accessibility
WP-C2	Infrastructure Provision	0	+	0	0	0	0	0	0	0	Policy supports improved access to facilities
WP-C3	Employment Development	0	+	0	0	0	0	0	0	0	New businesses are designed to meet the needs of those with disabilities