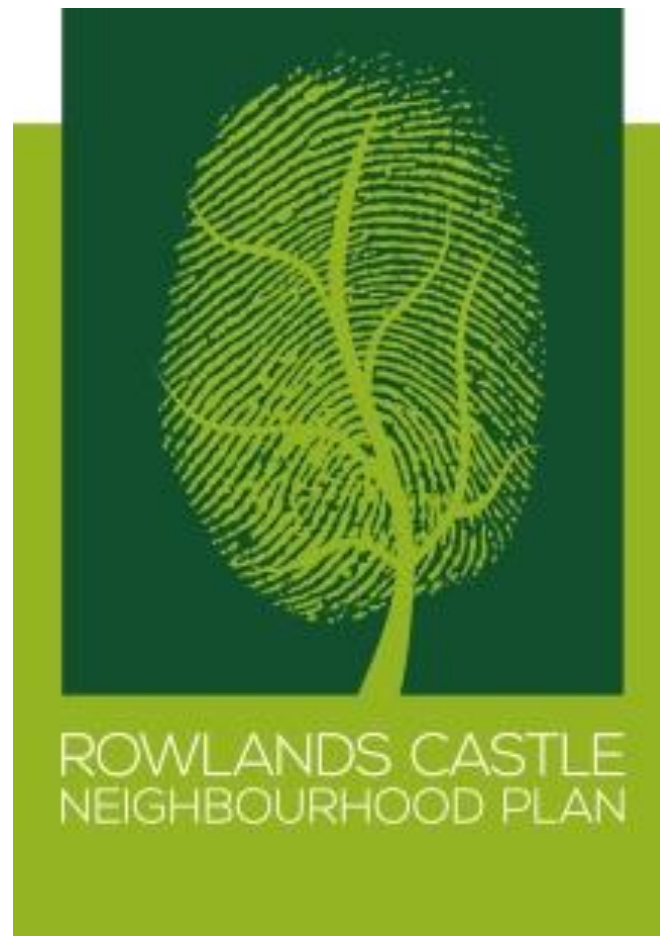


# **ROWLANDS CASTLE PARISH COUNCIL**



## **2022 – 2033**

### **Basic Conditions Statement**

### **Regulation 15 Submission**

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## 1. Introduction

1.1 This Statement has been prepared by Rowlands Castle Parish Council to accompany its submission to the lead local planning authority, East Hampshire District Council, of the Rowlands Castle Neighbourhood Development Plan ("the Neighbourhood Plan") under Regulation 15 (1) (d) of the Neighbourhood Planning (General) Regulations 2012.

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

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

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

- **Paragraph 8(1):** The Examiner carrying out the independent examination of a neighbourhood Plan must consider:
  - a) Whether the draft Neighbourhood Plan meets the basic conditions (see paragraph 8(2)).
  - b) Whether the draft Neighbourhood Plan complies with the provisions of sections 38A and 38B PCPA.
  - d) Whether the area for any referendum should extend beyond the neighbourhood area to which the draft Neighbourhood Plan relates.
- **Paragraph 8(2):** A draft Neighbourhood Plan meets the basic conditions if:
  - a) It aligns with national policies and advice contained in guidance issued by the Secretary of State.
  - b) It preserves any listed building or its setting or any features of special architectural or historic interest.
  - c) It preserves or enhances the character or appearance of any conservation area,
  - d) The making of the Neighbourhood Plan contributes to the achievement of sustainable development.
  - e) The making of the Neighbourhood Plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).
  - f) The making of the Neighbourhood Plan does not breach, and is otherwise compatible with, retained EU obligations.
- **Paragraph 8(6)** states that the Examiner is not to consider any matter that does not fall within paragraph 8(1), apart from considering whether the draft Plan is compatible with the Convention rights, as defined in the Human Rights Act 1998.

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

Section 3 explains how the requirements of paragraph 8(1) are met. Section 4 explains how the basic conditions (paragraphs 8(1)(a) and 8(2) are met, and Section 5 explains how the Neighbourhood Plan is compatible with the Convention rights.

## 2. Background

Rowlands Castle Parish Council resolved in March 2017 to develop a Parish Neighbourhood Development Plan. This decision was taken in light of the overwhelming support for such a Plan from those who had responded to the Council's six-week Consultation on the subject.

About 40% of the total area Rowlands Castle Parish is within the East Hampshire District, and 60% is in the South Downs National Park. In April 2017, East Hampshire District Council (EHDC) and the South Downs National Park Authority (SDNPA) confirmed the designation of the Rowlands Castle Neighbourhood Area. This is the area of the civil parish of Rowlands Castle and includes the hamlets of Finchdean and Idsworth. EHDC is the 'lead authority' because the majority of the Parish population live within their area. Rowlands Castle Parish Council is the 'qualifying body'.

At a subsequent Public Meeting on 15 May 2017, a Neighbourhood Plan Steering Group (NPSG) was formed with Terms of Reference agreed by the Parish Council.

The Vision for the Neighbourhood Plan is:

"To conserve and enhance the Parish of Rowlands Castle as an attractive community, whilst maintaining its separate identity, character and distinctiveness."

In preparing the Plan, the Parish Council and the Steering Group have involved the Rowlands Castle Community through a web site and consultations with residents, local organisations and businesses. Residents have been kept informed of progress through briefings at Parish meetings, and with articles in the Rowlands Castle Association magazine, and in a local newspaper. Questionnaires were circulated to all households and public comment specifically sought on potential housing needs before drafting the Plan. Residents' views on, and aims for, the Parish have been sought through local community email communications and through an online survey questionnaire. Frequent meetings have been held with EHDC and SDNPA officers.

A Regulation 14 Public Consultation was held from 17<sup>th</sup> June 2022 to 14<sup>th</sup> August 2022 (a period of eight weeks). This was widely publicised to all 1,500 dwellings in the Parish, land and property owners and statutory consultees. There were about 130 responses.

## 3. Compliance with paragraph 8(1) of Schedule 4B to the Town & Country Planning Act 1990

### a) Whether the draft Neighbourhood Plan meets the basic conditions (see paragraph 8(2)).

Section 4 of this statement demonstrates how the draft Neighbourhood Plan meets the basic conditions.

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

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

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

Rowlands Castle Parish Council is a qualifying body and is therefore authorised to submit the Rowlands Castle Parish Neighbourhood Plan. The designated Neighbourhood Plan area consists of the entire area of the Rowlands Castle Parish. Part of the Parish is within the

South Downs National Park. East Hampshire District Council (as the 'lead' Planning Authority) approved the formal designation of the Rowlands Castle Neighbourhood Plan Area on 26th April 2017, and the South Downs National Park Authority approved it on 24th April 2017.

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

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

- **s.38B(1):** *A Neighbourhood Plan -*
  - a) Must specify the period for which it is to have effect,*

The Neighbourhood Plan covers the period from 2022 to 2033 and that is stated on the front cover of the Plan.
  - b) May not include provision about development that is excluded development, and*

Excluded development includes development defined as a county matter, mainly involving mineral extraction and waste development, and nationally significant infrastructure projects (s.38B(6) / s.61K PCPA, as inserted by Schedule 9 Localism Act 2011). There is no provision for such development in the Neighbourhood Plan.
  - c) May not relate to more than one neighbourhood area.*

The Neighbourhood Plan relates solely to the designated neighbourhood area.
- **s.38B(2):** *Only one neighbourhood plan may be made for each neighbourhood area.*

There are no other Neighbourhood Plans in place for the Rowlands Castle neighbourhood area.
- **s.38B(3):** *If to any extent a policy set out in a neighbourhood plan conflicts with any other statement or information in the plan, the conflict must be resolved in favour of the policy.*

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

#### **d) Whether the Referendum area should extend beyond the neighbourhood area**

*The Government's Planning Practice Guidance (paragraph 059, ref ID: 41-059-20140306) states that it may be appropriate to extend the Referendum area where the scale or nature of the proposals in the draft Neighbourhood Plan are such that they will have a substantial, direct and demonstrable impact beyond the neighbourhood area.*

The proposals in the draft Neighbourhood Plan would have no impact beyond the designated Neighbourhood Plan area, and so Rowlands Castle Parish Council does not consider extension of the Referendum area to be appropriate or necessary.

## **4. Meeting the Basic Conditions (paragraph 8(2) of Schedule 4B to the Town & Country Planning Act 1990)**

### **4.1 National Policies and Advice**

#### **4.1.1 National Planning Policy Framework (NPPF)**

The Examiner will consider whether it is appropriate to 'make' the Rowlands Castle Neighbourhood Development Plan, with regard to alignment with national planning policies and advice. National planning policy is set out in the revised National Planning Policy Framework (NPPF), published in July 2021.

## Rowlands Castle Parish Neighbourhood Plan - Basic Conditions Statement

The table below shows how Rowlands Castle Parish Council has taken account of the NPPF in preparing its Neighbourhood Development Plan (NDP). It matches the policies in the NDP against the relevant paragraphs in the NPPF and demonstrates how the requirement of Paragraph 8(2) a) of Schedule 4B has been met.

Neighbourhood Plan Policy	NPPF Paragraph	Commentary
Entire Plan	13	The NDP supports the delivery of the strategic policies in the adopted local plan – the EHDC Local Plan: Joint Core Strategy (2014) together with the Saved Policies of the EHDC Local Plan: Second Review (2006). It also supports the policies in the SDNP Local Plan (2014-2033) (July 2019).
	16	As shown in section 4.4 of this Statement this NDP supports sustainable development, and it is deliverable. As demonstrated in the Consultation Statement, throughout the preparation of the NDP there has been extensive engagement with communities, local organisations, businesses and statutory consultees The policies are clearly written and unambiguous, and their wording follows advice from a Planning Consultant, and East Hampshire District Council and South Downs National Park planning authorities. It has been ensured that the NDP policies avoid unnecessary duplication of NPPF and Local Plan policies.
	18,21	The NDP contains only ‘non-strategic’ policies.
	29	The NDP provides the vision statement: “To conserve and enhance the Parish of Rowlands Castle as an attractive community, whilst maintaining its separate identity, character and distinctiveness.”  The NDP does not promote less development than is in the EHDC Local Plan Part 2 – Housing and Employment and Allocations (April 2016). In fact, all of the sites allocated in that plan have already been developed. The NDP does not allocate any sites for development, and does not designate any of the sites identified as ‘Developable’ in the EHDC Land Availability Assessment (2021) as being in the area proposed in Policy 1 as being in the ‘Gap’, or

		designate them in Policy 3 as Local Green Spaces or 'Protected Open Spaces'.
	31	Policies in the NDP are supported by evidence papers listed under the 'Key Supporting Documents'. A separate 'Evidence Base' document is also provided listing all documents supporting the NDP.
	37	This 'Basic Conditions Statement' demonstrates how the NDP meets the basic conditions defined in the Town and Country Planning Act.
	66,67	The NDP does not allocate any sites for development because it is anticipated that the emerging EHDC Local Plan (2021-2040) would allocate three sites within the Rowlands Castle Parish for a total of between 200 and 225 dwellings during the plan period. These three sites have been categorised as 'developable' in the Land Availability Assessment (2021). The 'Land East of Horndean' development which was granted outline planning permission in December 2021 (EHDC reference: 55562/005) would provide an additional 100 to 150 new dwellings in the Rowlands Castle Parish (the NDP 'Designated Area'). Neither EHDC nor the South Downs National Park Authority (SDNPA) has provided the Parish Council with any need to allocate more sites.
	70	Policy 6 (Over 55s' housing) encourages new developments and development of existing sites within the Settlement Policy Boundary, that accommodate the needs of the Over 55's. The Neighbourhood Plan does not allocate any specific sites because, as shown in the Consultation Statement, on 7 <sup>th</sup> August 2018, EHDC and SDNPA stated they would be identifying sites for development, but they would not allocate numbers to those areas. Both authorities indicated that, because of the risks of not achieving their overall housing requirement, they would not allow individual NPs to allocate their own sites in case they failed to meet their allocation.
	137 to 146	There are no 'Green Belt' areas within the designated area of this NDP
1. Gaps between Settlements	92 c)	See also the 'Gaps between Settlements' Evidence paper, particularly 'Conformity with National Planning Policy Framework (2021)' section.

		The Gap encourages the continued provision of allotments by including the allotments off Durrants Road in the Gap.
	120 b)	The policy recognises that undeveloped land can perform recreational functions by including in the Gap, allotments and land used for horse stabling and grazing.
	174 a) and b)	Surveys conducted show that the current Gap is highly valued by residents, and that it should be retained. The policy recognises the character of the Gap, and the importance of ancient woodland and SINCs by including two such areas in the Gap.
	179 a) and b)	The policy protects biodiversity and geodiversity by including Ecological Network Opportunity Areas in the Gap.
	180 c)	Two areas of ancient woodland are included in the Gap.
2. Landscape Character and Views	130 c)	This policy is consistent with the objective that planning should be sympathetic to the local character and the surrounding landscape setting while not preventing or discouraging appropriate innovation or change.
	174 a)	This policy aims to conserve and enhance the parish landscape and to maintain the distinctive landscape vistas and visual connectivity between the countryside and the built environment.
	176	Significantly more than half of the undeveloped landscape of the parish is located within the South Downs National Park and this policy aims to conserve and enhance this landscape together with the landscape vistas it contains.
	179 a) and b)	The policy aims to conserve and enhance ecological aspects identified in the EHDC Green Infrastructure Strategy (May 2019) and located within the parish.
3. Local Green Spaces and Protected Open Spaces	102	The table headed 'Compliance of Local Green Space designations with NPPF (2021) Paragraph 102' in the Neighbourhood Plan Policy 3, demonstrates how each of the ten areas designated as 'Local Green Spaces' complies with this paragraph. The 'Local Green Spaces and Protected Open Spaces' Evidence Paper also shows this compliance and other evidence supporting this designation.
	101	The policy is consistent with the local planning of sustainable development, because it does not designate any areas categorised as 'developable' in the EHDC



		Land Availability Assessment (2021). Consultations with residents and an on-line survey have demonstrated the importance of the areas designated as 'Local Green Spaces'. These spaces are capable of enduring beyond the end of the plan period.
	93 a)	The policy plans for the provision and retention of open spaces of benefit to the local communities.
	99	The policy controls the development on Protected Open Spaces and Local Green Spaces which are used for recreational purposes (e.g. allotments, the Rowlands Castle and Finchdean Village Greens) and sports (e.g. playing fields on the Rowlands Castle Recreation Ground).
	84 d)	The policy supports the retention of open spaces and sporting venues (e.g. the Rowlands Castle Recreation Ground). See the 'Local Green Spaces and Protected Open Spaces' Evidence document.
	92 c)	The policy supports local health and well-being needs by designating the Allotments off Durrants Road and the Rowlands Castle Recreation Ground as 'Local Green Spaces'.
4. Historic Environment	28	As a non-strategic policy this sets out more detailed guidance for the conservation of non-designated heritage assets within the Neighbourhood Plan area.
	190	The policy identifies the local non-designated heritage assets and takes into account items 190 a) – d).
	192	The policy has been based on up-to-date local evidence. Currently there is no district wide register of non-designated heritage assets though we understand that this could be an option at a future date.
	194	The policy will support the LPA when determining applications relating to the identified non-designated heritage asset.
	200	The policy does not specifically list designated heritage assets but defines the objectives as conserving and enhancing both designated and non-designated heritage assets
	203	The policy, when considered with the more detailed NDHA report, will enable the effect of an application on the significance of the asset to be taken into account.
5. Design and Local Character	28	As a non-strategic policy this sets out more detailed guidance for the neighbourhood Plan area

Rowlands Castle Parish Neighbourhood Plan - Basic Conditions Statement

	124 d) and e)	This policy aims to maintain the area's variety of prevailing character while securing well designed and attractive development.
	125	The Rowlands Castle Settlement Character Assessment was completed in November 2020 and is to be used in conjunction with this policy to help ensure that development is both well designed and attractive.
	126 to 130	It is the intent of this policy to ensure that new development respects and contributes to local character and to local distinctiveness whilst preserving the distinctive rural setting of the three main residential centres. As the Neighbourhood Plan does not set out to allocate housing it was decided not to produce detailed design guides and codes but rather to set out the local features that should be considered in achieving well designed places.
	132	This policy aims to encourage consideration of local needs by use of key local design documents when developing proposals
	174 a) and b)	The policy requires that development must respect the character and identity of the surrounding area and be informed by its setting within the landscape
	190 c) and d)	Conservation of the historic environment is addressed specifically in Policy 4. However this policy emphasises the desirability of new development making a positive contribution to local character and distinctiveness and, via reference to the Rowlands Castle Settlement Character Assessment, to draw on the contribution made by the local historic environment to area character.
6. Over 55s Housing	61 and 62	A Housing Need Survey has been completed and its conclusions incorporated in the policy.
	70	The policy provides for development of existing sites for single units into multi-unit sites.
7. Rowlands Castle Village Centre	84 d)	The policy provides for the retention of local shopping and facilities
	92 a)	The retention of existing village facilities is promoted in the policy to retain opportunities for meetings between people.
	93 c) and d)	By encouraging facilities this will guard against unnecessary loss and ensure new and existing businesses can develop.
	187	The policy supports both existing businesses and also new businesses within the village core.

8. Parking	104 e)	Transport issues have been considered as have other alternatives
9. Flood Risk and Groundwater Management	159	The parish of Rowlands Castle includes geological features that both make some areas prone to seasonal flooding and also pose an increased risk of pollution entering the underlying aquifer. This policy describes these risks with the aim of avoiding inappropriate development.
10. Community and Sports Facilities	28	This policy supports the provision and retention of the community facilities listed in Table 3, and refers to design principles in paragraph 3.
	84 d)	This policy supports the retention of the community facilities listed in Table 3.
	92 c)	The policy supports healthy lifestyles, by its protection and retention of sports facilities.
	93	The policy seeks to provide the social, recreational and cultural facilities and services the community needs.
	99	The policy protects the designated recreational buildings from being built on except under the conditions specified in the Neighbourhood Plan policy which are consistent with the conditions in this NPPF policy.
11. Walking, Cycling and Horse-riding access	85	These activities are encouraged for all new developments
	92 a) and c)	Access to these facilities encourages healthy lifestyles and social interaction
	104 c)	Opportunities are promoted for these activities
	112 c)	The intent of this policy is to encourage development of places that are safe, secure and attractive.

#### 4.1.2 Planning Practice Guidance (PPG)

Further guidance on neighbourhood planning is set out in the PPG, and a number of paragraphs in the PPG are of particular relevance to the Rowlands Castle Parish Neighbourhood Development Plan (NDP). These are listed in the table below which demonstrates how the NDP has regard to this guidance, and therefore meets the requirement of Paragraph 8(2) a) of Schedule 4B.

Neighbourhood Plan Policy	Planning Practice Guidance Paragraph	How the NDP has regard to this
Entire Plan	001 Reference ID: 41-001-20190509	The NDP has a 'Vision' and defines where new homes for the over 55s could be built.

	002 Reference ID: 41-002-20190509	The NDP sets planning policies that could form part of the EHDC and SDNPA development plans.
	004 Reference ID: 41-004-20190509	The NDP supports the delivery of strategic policies in the EHDC and SDNPA Local Plans and its policies relate to land use and development.
	014 Reference ID: 41-014-20140306	Rowlands Castle Parish Council is the 'Qualifying Body.
	015 Reference ID: 41-015-20160211	Rowlands Castle Parish Council appointed a Neighbourhood Plan Steering Group which consists of two Parish Councillors and other residents of the Parish.  The Parish Council set the terms of reference for the Steering group and these were published along with Parish Council meeting minutes. The Steering Group meeting minutes are published on the Rowlands Castle Parish Council web site.
	024 Reference ID: 41-024-20190509	The Parish Council submitted an application to EHDC and SDNPA for a neighbourhood area to be designated.
	030 Reference ID: 41-030-20140306	The neighbourhood area application was made to both the EHDC and SDNPA Local Planning Authorities.
	040 Reference ID: 41-040-20160211	The Neighbourhood Plan Steering Group has written Evidence Papers for some policies, and has specified evidence provided by others (e.g. EHDC and SDNPA).
	047 Reference ID: 41-047-20140306	The Parish Council has ensured that the community has been informed of progress on the NDP at events including Annual Parish Meetings, Village Fair, Village Magazine. The

		NPSG regularly reported progress on the NDP at Parish Council meetings to which members of the public were always invited. Several surveys of the opinions of all residents in the Parish were undertaken.
	048 Reference ID: 41-048-20140306	All Statutory Authorities were notified of the Regulation 14 Public Consultation. Before that Consultation, owners of land and properties referred to in the NDP had been notified.
2. Landscape Character and Views	036 Reference ID: 8-036-20190721	The policy aims to conserve and enhance the landscape while maintaining the distinctive landscape vistas. It includes references to a number of documents which describe the key features of the local landscape and locally significant views, identifying these special characteristics and the supporting evidence.
3. Local Green Spaces and Protected Open Spaces	005 Reference ID: 37-005-20140306	The areas designated as Local Green Spaces are of particular importance to residents of the parish as described in the 'Local Green Spaces and Protected Open Spaces' evidence paper.
	006 Reference ID: 37-005-20140306	The areas designated as Local Green Spaces are shown on a map in the NDP.
	007 Reference ID: 37-005-20140306	The areas designated as Local Green Spaces are not otherwise categorised as 'developable' so this does not undermine the aim of plan making.
	008 Reference ID: 37-005-20140306	None of the NDP Local Green Spaces has been granted planning permission for development.
	009 Reference ID: 37-005-20140306	As shown in the NDP and the 'Local Green Spaces and Protected Open Spaces'

		Evidence paper, the areas designated as 'Local Green Spaces' are demonstrably special to the community.
	014 Reference ID: 37-005-20140306	As shown in the NDP and the 'Local Green Spaces and Protected Open Spaces' Evidence paper, the areas designated as 'Local Green Spaces' are reasonably close to the centre of the village and community as a whole.
	015 Reference ID: 37-005-20140306	The areas designated as 'Local Green Spaces' are not extensive tracts of land. There is no blanket designation of open countryside adjacent to the Rowlands Castle settlement as 'Local Green Spaces'.
	019 Reference ID: 37-005-20140306	The owners of land designated as 'Local Green Spaces' were informed of this several months before the start of the Regulation 14 Public Consultation.
4. Historic Environment	039, Reference ID: 18a-039-20190723	Defines a non-designated heritage asset. The included assets are within the scope of this definition
	040, Reference ID: 41-040-20140306	Our selection methods were in line with the PPG process.
	041, Reference ID: 41-041-20140306	Describes the identification of a non-designated heritage asset of possible archaeological interest. None of the assets included in the NP policy fall within the scope of this PPG.
5. Design and Local Character	001 Reference ID: 26-002-20191001	Paragraphs 1 – 4 describe how the planning system can achieve well-designed places and the role that a plan's vision and non-strategic policies can play. Policy 5 is compliant with this process.
	002 Reference ID: 26-002-20191001	
	003 Reference ID: 26-002-20191001	
	004 Reference ID: 26-002-20191001	
	019 Reference ID: 26-002-20191001	Describes how communities can be engaged in design. Local input has been sought throughout development of

		the Neighbourhood Plan with the Village Design Statement and Local Landscape Character Assessment being examples of resident-led projects that will inform local design principles.
6. Over 55s housing	006 Reference ID: 63-006-20190626	The Housing Needs Survey identified the need for over 55s Housing in smaller units and the policy provides for this through development of existing larger units and, where possible infill and other sites within walking distance of the village centre.
	010 Reference ID: 63-006-20190626	The policy provides for over 55s housing as that was the predominant demand identified in the survey. It could also be satisfied without the provision of larger sites which are not generally available within a reasonable walking distance of the village centre.

#### **4.2 Preservation of listed buildings or their settings or any features of special architectural or historic interest**

The following provisions are not applicable to a Neighbourhood Development Plan.

The policies in the Neighbourhood Development Plan would not have any adverse effects on the listed buildings in the designated neighbourhood plan area. In fact, Policy 3 (Local Green Spaces and Protected Open Spaces), seeks to designate as 'Local Green Spaces' the areas and settings around the following Grade II listed buildings in the area:

- The Kings Stone
- Telephone Kiosk on the green at Finchdean
- The Old Iron Foundry on the green at Finchdean
- War memorial

Policy 4 (Historic Environment: Non-Designated Heritage Assets) seeks to protect and preserve specified non-designated assets of local historic interest, and/or their particular historic features and their settings, and also the character of Rowlands Castle Parish, including the setting of its Conservation Area in the Rowlands Castle village centre, Finchdean hamlet centre, and the setting of listed buildings and all other Designated Heritage Assets.

### 4.3 Preserving or enhancing the character or appearance of a conservation area

The following provisions are not applicable to a Neighbourhood Development Plan

A large part of the Rowlands Castle Conservation Area is within the village centre, and Policy 7 – ‘Rowlands Castle Village Centre’, paragraph 4 requires any development to respect the overall character and built environment of the Village Centre.

### 4.4 Sustainable Development

- The National Planning Policy Framework (2021) states:

7. At a very high level, the objective of **sustainable development** can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs (*see footnote 4*). At a similarly high level, members of the United Nations – including the United Kingdom – have agreed to pursue the 17 Global Goals for **Sustainable Development** in the period to 2030. These address social progress, economic well-being and environmental protection (*see footnote 5*).

8. Achieving **sustainable development** means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- a) an **economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- b) a **social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and
- c) an **environmental objective** – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

- Footnote 4 refers to the following resolution adopted by the UN General Assembly on 11<sup>th</sup> December 1987:

42/187. Report of the World Commission on Environment and Development

*The General Assembly,*

*Concerned* about the accelerating deterioration of the human environment and natural resources and the consequences of that deterioration for economic and social development,

*Believing* that **sustainable development**, which implies meeting the needs of the present without compromising the ability of future generations to meet their own needs, should become a central guiding principle of the United Nations, Governments and private institutions, organizations and enterprises,

- Footnote 5 refers to the UN Department of Economic and Social Affairs ‘Sustainable Development’ web page at:



<https://sdgs.un.org/2030agenda>

- The following sections demonstrate how the policies in this Neighbourhood Plan meet the objectives defined in NPPF paragraph 8 and promote Sustainable Development.

**a) Economic Objective**

**Policy 7** (Rowlands Castle Village Centre) fosters a strong economy in the village centre and its vitality and viability, by supporting the retention of existing business and retail premises, or their replacement by new facilities and services.

**b) Social Objective**

**Policy 1** (Gaps between Settlements) aims to maintain a 'sense of place' for residents of, and visitors to, Rowlands Castle and Havant, and to preserve the individual identity of Rowlands Castle.

**Policy 3** (Local Green Spaces and Protected Open Spaces) requires developments to provide open spaces.

**Policy 5** (Design and Local Character) requires developments to be well-designed and to follow the principles defined in the Rowlands Castle Settlement Character Assessment, Village Design Statement and Local Landscape Character Assessment.

**Policy 6** (Over 55s Housing) reflects the community needs for such accommodation which were expressed in the Housing Needs Survey, and for it to be accessible to the facilities provided in the centre of village.

**Policy 10** (Community and Sports Facilities) supports the community's social needs by requiring the retention of, improvements to the designated facilities.

**Policy 11** (Walking, Cycling and Horse-Riding Access) requires developments to provide safe access to the services in the centre of the village

**c) Environmental Objective**

**Policy 1** (Gaps between Settlements), **Policy 2** (Landscape Character and Views) and **Policy 3** (Local Green Spaces and Protected Open Spaces) all protect the natural environment of designated areas in the Parish from inappropriate development.

**Policy 4** (Historic Environment: Non-Designated Heritage Assets) protects the built and historic environment of the Rowlands Castle Parish by conserving and, where possible enhancing, the assets listed in the policy.

**4.5 General conformity with Development Plan**

As described in the 'Fitting in with other plans' section of the Neighbourhood Development Plan, it has been prepared to ensure its general conformity with the development plans for the East Hampshire District and the South Downs National Park. These plans are:

- East Hampshire District Local Plan: Joint Core Strategy (JCS) (June 2014)

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- East Hampshire District; Housing and Employment Allocations (April 2016)
- East Hampshire District Local Plan: Second Review (2006) saved policies
- South Downs Local Plan (2014-2033)

The table below summarises the conformity of the Neighbourhood Development Plan (NDP) policies with the policies in these Development Plans.

NDP Policy	JCS Policies	Local Plan Second Review (2006) saved policies	South Downs Local Plan (2014-2033) policies	Commentary
1. Gaps between Settlements	CP23		SD4 3) and 4)	<p>In defining the gap between Rowlands Castle and Havant as referred to in Policy CP23, its boundaries have been altered to exclude the following types of areas in the gap to which CP23 relates:</p> <ul style="list-style-type: none"> <li>• Already developed</li> <li>• Planning Permission granted</li> <li>• Planning application submitted but not yet decided</li> <li>• Categorised as 'Developable' in the EHDC Land Availability Assessment (2021)</li> <li>• Areas where any development would not lead to coalescence between Rowlands Castle and Havant</li> <li>• Area within Staunton Country Park</li> </ul> <p>Details of each of these areas are provided in the Evidence paper for this policy. As a result of these alterations, the area of 'Gap' defined in this NDP policy would be about 32% of the area to which</p>

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				CP23 relates. This remaining area is required to prevent coalescence of Rowlands Castle and Havant and to retain their separate identities, and to protect landscape features and views.
	CP28			In accordance with this EHDC policy, the 'Gap' designated in Neighbourhood Plan policy includes areas of ancient woodland which have wildlife habitats, and Ecological Network Opportunity Areas.
	CP20 c)			The Gap will protect the Rowlands Castle settlement and land at its southern urban edge.
	CP20 d)			The Gap includes areas of ancient woodland which contribute to the character of the local landscape.
2. Landscape Character and Views	CP19, CP20		SD4, SD5, SD6	Policies CP19, CP20, SD4, SD5 and SD6 were all consulted during development of Policy 2 which is in compliance with these policies.
3. Local Green Spaces and Protected Open Spaces	CP17			The Neighbourhood Plan policy is consistent with Policy CP23 in protecting the specified Local Green Spaces and Protected Open Spaces which are within the East Hants District.
			SD46	The Neighbourhood Plan policy is consistent with Policy SD46 in protecting Finchdean Green as a Local Green Space.
4. Historic Environment	CP30	HE4, H5, HE6, HE7, HE13	SD12, SD13, SD15	The listed policies were consulted during the drafting of NP Policy 4 which is in compliance with the relevant sections of these policies

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5. Design and Local Character	CP29, CP30	H9, HE2	SD15, SD26, SD30	All the listed policies were consulted during the development of Policy 5 which is in compliance with these policies.
6. Over 55s Housing	CP12	H13	SD27	The Rowlands Castle Housing Needs Survey 2018 identified that there would be a surplus of larger housing units becoming available and a shortage of smaller units suitable for the over 55s. The NP policy provides for this surplus and demand through encouraging the larger units that become available to be developed or converted to multiple units providing accommodation suitable for the identified demand for smaller units suitable for over 55s. Therefore, by encouraging this development within the Settlement Policy Boundary, this NDP policy conforms with EHDC policies CP12 and H13.
7. Rowlands Castle Village Centre	CP8 a), b) c), CP29 h), CP30 b), c), d), e)	HE4, HE5, HE6, HE7, HE15	SD36, SD37	Rowlands Castle Village includes a conservation area at its centre and the rich variety of buildings and settings provides a strong identity to the village. By conserving and controlling the development of the village centre in a considered manner, and in accordance with these EHDC policies, it should enhance and preserve that character.
8. Parking	CP25 k), CP31 e)		SD22	Policy 8 is in compliance with all the listed policies which during its

				development were consulted.
9. Flood Risk and Groundwater Management	CP25, CP26, CP27		SD17, SD49	All the listed policies were consulted during the development of Policy 9 which is in compliance with these policies.
10. Community and Sports Facilities	CP16, CP17, CP18		SD43, SD46	This policy is consistent with these EHDC and SDNPA policies by listing specific facilities in the parish to which it applies.
11. Walking, Cycling and Horse-riding access	CP18, CP31	T3, T4	SD20 1), SD45 2d)	Policy 11 is in compliance with all the listed policies which during its development were consulted.

#### 4.6 European Union Obligations and European Sites

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

- *This is incorporated into national law by the Environmental Assessment of Programmes and Plans Regulations 2004 and requires environmental assessment of Plans where they are likely to have significant environmental effects. The SEA must identify, describe and evaluate the effects of carrying out the Plan, and reasonable alternatives to it.*
- In October 2021 Rowlands Castle Parish Council asked EHDC to screen the neighbourhood plan under the SEA and the HRA Regulations . In April 2022, following receipt of the comments of the three consultation bodies (Environment Agency, Historic England and Natural England), EHDC replied that the Strategic Environmental Assessment and Habitats Regulation Assessment of the Rowlands Castle neighbourhood plan are not required as the plan is unlikely to give rise to significant environmental effects.

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

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

The ‘Strategic Environmental Assessment (SEA)’ screening form (Final Determination – 19<sup>th</sup> May 2022) received from EHDC contained the response from Natural England which included:

‘Natural England therefore concludes that this Neighbourhood Plan does not require an SEA/HRA’.

## 5. Convention Rights (paragraph 8(6) of Schedule 4B to the Town & Country Planning Act 1990)

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

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

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

- *Article 1 of Protocol 1 states that a person has the right to the peaceful enjoyment of their possessions and cannot be deprived of them except in the public interest.*

While individual landowners might consider that the Plan prevents them from developing or using their land in the way they wish to, the Plan is made in compliance with national planning law, which requires development to be sustainable, and any restrictions on the use of land are made in accordance with the wider interests of the community. The Plan is therefore compatible with this Article.

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

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

- *Article 8 states that everyone has the right to respect for their private and family life and their home and correspondence. Therefore, the Neighbourhood Plan requires new development to safeguard the living conditions of adjoining residents,*

Policy 5 (Design and Local Character) requires developments to follow the principles defined in the Rowlands Castle Settlement Character Assessment. 'Development Considerations' in this Assessment require new developments and extensions to not intrude within the private amenity of neighbouring properties, thereby safeguarding the living conditions of adjoining residents.

- *Article 10 states that everyone has the right to freedom of expression. This includes the right to hold opinions and receive and impart information.*

The consultation process during the preparation of the Neighbourhood Plan has provided several opportunities for residents to express their opinions.

- *Article 14 states that the enjoyment of Convention Rights shall be secured without discrimination on any ground such as sex, race, colour, religion, politics, property or other status.*

The policies of the Neighbourhood Plan apply to all members of the community regardless of any of these grounds and have been developed following full consultation with residents and wider consultees in order to ensure that they are as inclusive as possible.

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