

**Kidmore End Neighbourhood Development Plan
Submission Version**

2011– 2035

BASIC CONDITIONS STATEMENT

Kidmore End Parish Council

April 2021

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1 INTRODUCTION

1.1 This Basic Conditions Statement has been produced to explain how the Kidmore End Neighbourhood Development Plan (KENDP) has been prepared in accordance with Section 15 of the Neighbourhood Planning (General) Regulations 2012, (as amended).

1.2 This Statement addresses each of the five ‘basic conditions’ required of the Regulations and explains how the submitted Neighbourhood Development Plan meets the requirements of paragraph 8 of Schedule 4B to the 1990 Town & Country Planning Act (as amended).

1.3 The following documents constitute the Kidmore End Neighbourhood Development Plan and supporting documents in their entirety, which are being submitted to South Oxfordshire District Council in order to allow for subsequent independent examination, followed by a public referendum in the designated area for the Plan:

- The Kidmore End Neighbourhood Development Plan 2011-2035 dated March 2021 including Appendices;
- A map of the Designated Neighbourhood Plan Area;
- This Basic Conditions Statement (April 2021);
- A Consultation Statement dated March 2021 detailing the extensive consultation with residents and other local stakeholders and statutory bodies throughout the development process;
- A Screening Statement on the determination of the need for a Strategic Environmental Assessment (SEA) carried out by South Oxfordshire District Council (‘SODC’ - dated 3rd July 2020). The conclusion of this Screening Statement was that the Kidmore End Neighbourhood Development Plan does not require either SEA or HRA Appropriate Assessment.

1.4 An evidence base (all of which are appendices to the Neighbourhood Development Plan) comprising the following documents supports the Neighbourhood Development Plan and the associated statutorily required documents:

- 1 Household Survey – May 2018
- 2 Landscape Sensitivity Study – September 2018, updated August 2020
- 3 Site Options and Assessment Report – November 2018, updated April 2019
- 4 Facilitation Report – December 2018

- 5 Housing Requirement and Allocation Paper – July 2019, updated January 2020, further update April 2021.
- 6 Community Survey – September 2019
- 7 Topic Paper on Kidmore End Parish Local Valued Landscape – August 2020 (updated to March 2021 following Regulation 14 consultation)
- 8 Facilitation Report – November 2020

2 LEGAL REQUIREMENTS

2.1 The legal requirements for 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).

2.2 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 Kidmore End Parish Council a ‘Qualifying Body’ authorised to act in relation to the Neighbourhood Area?

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

2.4 Kidmore End 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 South Oxfordshire District Council?

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

2.6 The Kidmore End Neighbourhood Area application was submitted on 19th October 2017 and on the 20th December 2017 the South Oxfordshire District Council Head of Planning designated the area.

Does the designation follow an application for designation by the ‘Relevant Body’ (ie Kidmore End Parish Council)?

- 2.7 This requirement is described in Section 61G(1a) of the Town & Country Planning Act 1990 (as amended).
- 2.8 The Kidmore End Neighbourhood Area application was submitted by Kidmore End Parish Council who are the ‘Relevant Body’ for the purposes of Section 61G(1a).
- 2.9 The designated Neighbourhood Area is indicated below in Figure 1; other than in one instance adjacent to Sonning Common, the Area is contiguous with the Parish boundaries :

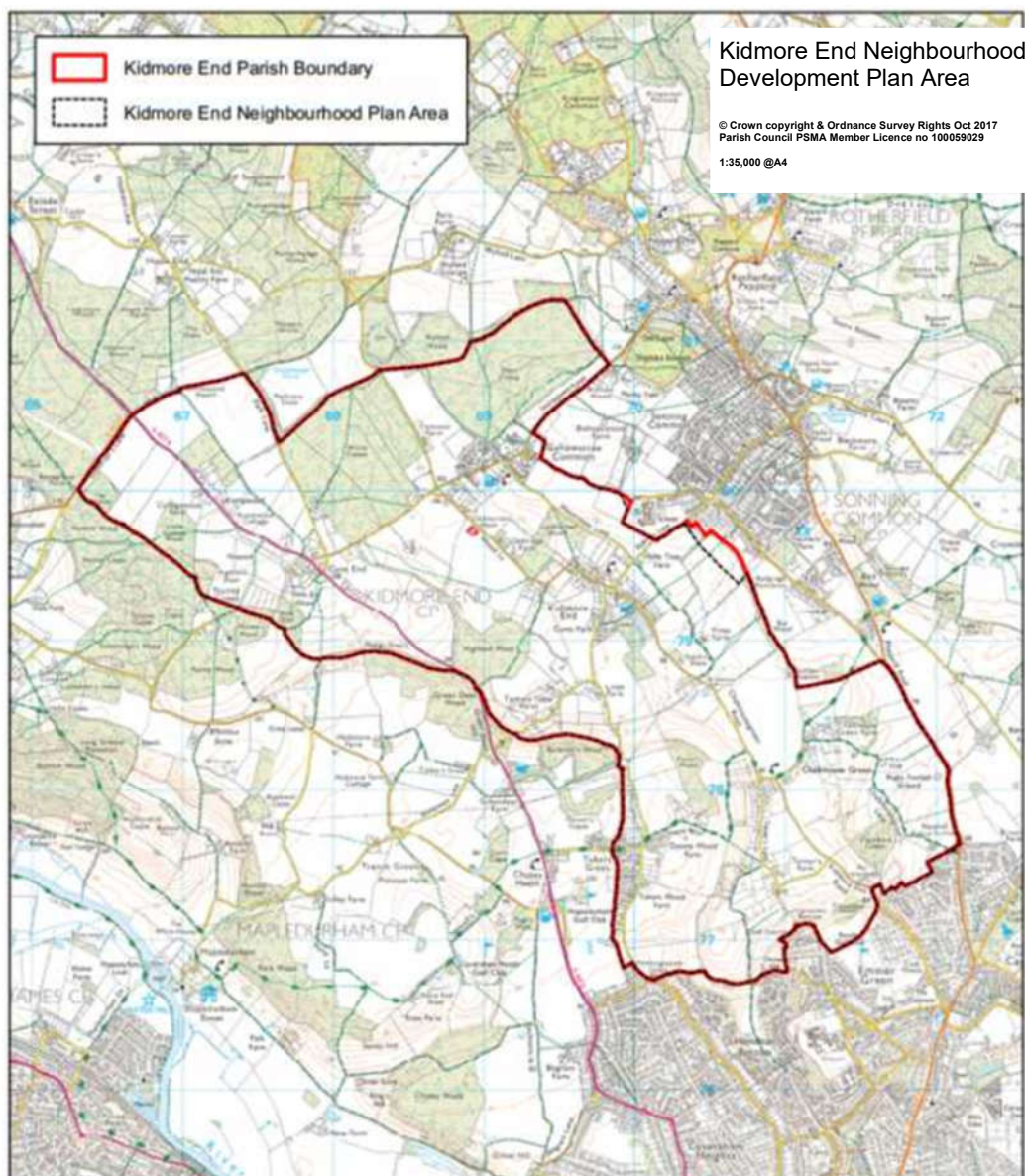


Figure 1: Designated Neighbourhood Area, 20th December 2017

Do the Kidmore End Neighbourhood Development Plan and Basic Conditions Statement specify the period for which the Plan is to have effect?

- 2.10 This requirement is described in Section 38B (1a) of the Planning and Compulsory Purchase Act 2004 (as amended).
- 2.11 Both the Neighbourhood Development Plan and the Basic Conditions Statement specify the period over which the Plan is to have effect, namely the period 2011 - 2035. This aligns with the dates covered by the South Oxfordshire Local Plan 2011-2035 (adopted December 2020).

Does the Kidmore End Neighbourhood Development Plan include provisions about development that is 'Excluded Development'?

- 2.12 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 a 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.
- 2.13 The Neighbourhood Development Plan does not contain provisions about development that is 'Excluded Development'.

Does the Kidmore End Neighbourhood Development Plan relate to more than one neighbourhood area?

- 2.14 This requirement is described in Section 38B (1c) of the Planning and Compulsory Purchase Act 2004 (as amended).
- 2.15 The Neighbourhood Development Plan only relates to one neighbourhood area – the details of this are provided above and the area designation letter and map can be found at this link¹ and also in Appendix F to the Neighbourhood Development Plan.

¹ <https://www.southoxon.gov.uk/south-oxfordshire-district-council/planning-and-development/local-plan-and-planning-policies/neighbourhood-plans/emerging-neighbourhood-plans/kidmore-end-neighbourhood-plan/>

Are there any other Neighbourhood Development Plans in place for the Kidmore End Neighbourhood area?

- 2.16 This requirement is described in Section 38B (2) of the Planning and Compulsory Purchase Act 2004 (as amended).
- 2.17 There are no other neighbourhood plans in place within the designated Kidmore End Neighbourhood area. A small piece of land was included in the Sonning Common Neighbourhood Plan Area but which is located within the Kidmore End Parish administrative area. There is no overlap between the two however.

Does the Kidmore End Neighbourhood Development Plan contain policies that relate to the development and use of land?

- 2.18 The Kidmore End Neighbourhood Development Plan contains policies which relate to the development or use of land and are therefore appropriate for inclusion within a Neighbourhood Plan. The policies relate only to the designated area.

Does the Kidmore End Neighbourhood Development Plan meet the 'Basic Conditions'?

- 2.19 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)).
- 2.20 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.
- 2.21 For the sake of completeness, the basic conditions that are relevant to Neighbourhood Development 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 South Oxfordshire District Council)
 - (d) the making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations
 - (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')

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

2.23 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*” has 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

3.1 The Kidmore End Neighbourhood Development Plan has been prepared with regard to national policies as set out in the National Planning Policy Framework (NPPF) dated February 2019. The Neighbourhood Development 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.

3.2 The Parish Council believes the Neighbourhood Development Plan plans positively for future development in the Parish and that it is consistent with the provisions of the adopted South Oxfordshire Local Plan 2011-2035.

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

Table 1: Conformity of Neighbourhood Plan Policies to National Policy and Advice

NP Policy Number and Title	NPPF / NPPG paragraph	Comment on Conformity
ALL POLICIES	NPPF Paragraphs 8 (sustainable development), 12-14, 18, 21, 29-30, 37, 50, 99, 125, 136, 152 and 216 (neighbourhood planning).	The neighbourhood plan has been drafted having regard to the extensive policy and guidance contained in the Government’s NPPF and NPPG resources. The

	NPPG Paragraphs 41-001-20190509-41-107-20200925 (neighbourhood planning).	policy and guidance has fundamentally informed and shaped the policies in this neighbourhood plan as a result.
Infill Policy (LCI)	<p>NPPF paragraphs 8 (sustainable development), 67-69 (delivering housing), 77-79 (rural housing), 117-119 (making effective use of land), 122-123 (density), 124-131 (design), 170, 172 (AONBs and landscape), 127 and 180 (amenity).</p> <p>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)</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 Neighbourhood Development Plan evidence from community consultation exercises (appendix E) and visual and spatial character / character appraisal documents (appendix D) to develop a policy approach that is consistent with national planning policy and guidance on housing development in rural areas.</p>
Separation of Settlements Policy (LCSS)	<p>NPPF paragraphs 8 (sustainable development), 117-119 (making effective use of land), 122-123 (density), 124-131 (design), 170, 172 (AONBs and landscape), 127 and 180 (amenity).</p> <p>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).</p>	<p>This policy draws on comprehensive landscape and village character evidence in appendices C, D and E to the Neighbourhood Development Plan to identify a series of locations where settlements are vulnerable to coalescence and where it will be important to maintain their separate physical and visual identities. The approach set out in the policy reflects those aspects of national planning policy and guidance that are relevant, in particular those aspects dealing with amenity, design and landscape quality.</p>
Quiet Lanes Policy (LCQL)	<p>NPPF paragraphs 8 (sustainable development), 117-119 (making effective use of land), 122-123 (density), 124-131 (design), 170, 172 (AONBs and landscape), 127 and 180 (amenity).</p> <p>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 and 30-001-20190722 to 30-017-20190722 (amenity).</p>	<p>Ready access to the countryside, via a network of paths and lanes which connect the settlements in the Plan area together is an important component of the local character in the Plan area.</p> <p>Development in these locations has the potential to impact adversely where it isn't sympathetic to the character of the area and the evidence base in Appendices C, D and E in particular supports the approach set out in the policy, which is in turn consistent with those aspects of national planning policy and guidance that are relevant.</p>

<p>Local Gap Policy (LPLG)</p>	<p>NPPF paragraphs 8 (sustainable development), 117-119 (making effective use of land), 122-123 (density), 124-131 (design), 170, 172 (AONBs and landscape), 127 and 180 (amenity).</p> <p>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)</p>	<p>This policy draws on comprehensive landscape and village character evidence in appendices C, D and E to the Neighbourhood Development Plan to prevent coalescence between Caversham and Tokers Green and to protect a narrow gap of vulnerable open land and rural setting next to the urban area of Reading.</p> <p>The approach set out in the policy is consistent with the approach set out in other ‘made’ neighbourhood plans (eg east Hagbourne NDP) where examiners have found such gaps to be consistent with national planning policy and guidance on landscape, amenity and local character in particular.</p>
<p>General Design Principles Policy (LCDPG)</p>	<p>NPPF paragraphs 8 (sustainable development), 117-119 (making effective use of land), 122-123 (density), 124-131 (design), 148-153 (climate change), 170, 172 (AONBs and landscape), 127, 180 (amenity etc), 180(d) (dark landscapes), 184-202 (heritage) and 170, 174-177 (biodiversity / Net Gain / green infrastructure).</p> <p>NPPG Paragraphs 26-001-20191001 to 26-023-20191001 (design), 8-036-20190721 to 8-042-20190721 (landscape), 6-001-20140306 to 6-012-20190315 (climate change), 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-039-20190723 to 18a-041-20190723 (heritage) and 8-004-20190721 to 8-035-20190721 (biodiversity / Net Gain and green infrastructure)</p>	<p>This policy draws widely on evidence in the Chilterns AONB Board publications, the Chilterns Buildings Design Guide, community feedback (Appendix E) and the character analysis documents in Appendix D to the Neighbourhood Development Plan to develop a detailed policy dealing with a wide range of development management matters from design to climate change, heritage, biodiversity, density, amenity, landscape and light pollution that is in conformity with the relevant sections of the NPPF and NPPG resources.</p>
<p>Design Principles Extensions Policy (LCDPE)</p>	<p>NPPF paragraphs 8 (sustainable development), 117-119 (making effective use of land), 122-123 (density), 124-131 (design), 127, 180 (amenity), 184-202 (heritage).</p> <p>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-</p>	<p>This policy draws on evidence in Appendices D and E of the Neighbourhood Development Plan to develop a policy dealing with extensions to buildings that contains criteria for design, appearance, layout, amenity and heritage that are in conformity with the relevant sections of the NPPF and NPPG.</p>

	20190723 to 18a-063-20190723 and 18a-039-20190723 to 18a-041-20190723 (heritage)	
Design Principles General Amenity Policy (LCDPGA)	<p>NPPF paragraphs 8 (sustainable development), 20(b) (services / infrastructure requirements), 102, 108-109 (traffic / highways), 127, 180 (amenity), 180(d) (dark landscapes).</p> <p>NPPG Paragraphs 66-006-20190722 to 66-007-20190722 and 30-001-20190722 to 30-017-20190722 (amenity / noise / daylight), 34-002-20140306 to 34-020-20140306 (water / waste water), 31-001-20191101 to 31-007-20191101 (light pollution) and 42-013-20140306 to 42-015-20140306 (transport)</p>	This policy draws on evidence in Appendices D and E of the Neighbourhood Development Plan to develop a policy dealing with general amenity considerations, all of which reflect detailed policy and guidance contained in the relevant sections of the NPPF and NPPG.
Housing Allocation Policy (HDA)	<p>NPPF paragraphs 8 (sustainable development), 102, 108-109 (traffic / highways), 117-119 (making effective use of land), 122-123 (density), 124-131 (design), 148-153 (climate change), 170, 172 (AONBs and landscape), 127, 180 (amenity etc), 180(d) (dark landscapes), 184-202 (heritage) and 170, 174-177 (biodiversity / Net Gain / green infrastructure).</p> <p>NPPG Paragraphs 26-001-20191001 to 26-023-20191001 (design), 8-036-20190721 to 8-042-20190721 (landscape), 6-001-20140306 to 6-012-20190315 (climate change), 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-039-20190723 to 18a-041-20190723 (heritage), 8-004-20190721 to 8-035-20190721 (biodiversity / Net Gain and green infrastructure) and 42-013-20140306 to 42-015-20140306 (transport).</p>	<p>The evidence supporting this policy is contained at Appendix B to the Plan.</p> <p>The policy contains 12 criteria describing the approach to be adopted in developing the site. The principles enshrined in the policy are all based on the principles concerning design, biodiversity amenity, character and landscaping that are found in the NPPF and NPPG.</p>
Safety for All Road Users Policy (LTSRU)	<p>NPPF paragraphs 8 (sustainable development), 102, 108-109 (traffic / highways) 124-131 (design).</p> <p>NPPG Paragraphs 42-013-20140306 to 42-015-20140306 (transport) and 26-001-20191001 to 26-023-20191001 (design).</p>	The criteria contained in this policy echo the national policy objectives for road safety at paragraphs 102-110 of the NPPF, whilst also referencing good practice in designing for rural locations. Both elements of the policy are in general conformity with national planning policy and guidance.
Preservation of Footpaths, Bridleways	NPPF paragraphs 8 (sustainable development), 84 (rural economy), 91	This policy seeks to ensure that development is sustainably located and that proposals for new development protect existing cycle

and Tracks Policy (LTPFBT)	(healthy communities), 102-104 and 108-110 (transport), 127 (design). NPPG paragraphs 37-004-20140306 (rights of way) and 42-013-20140306 to 42-015-20140306 (transport)	and pedestrian routes and provide enhancement where possible. This is consistent with the approach to the promotion of sustainable modes of transportation as set out in detail in the NPPF and, to a lesser degree, in the NPPG.
Safe Access and Parking Policy (LTSAP)	NPPF paragraphs 8 (sustainable development), 102, 105-111 (traffic / highways); Ministerial statement on Parking 20152 NPPG Paragraphs 42-013-20140306 to 42-015-20140306 (transport).	The criteria contained in this policy echo the national policy objectives for road safety and parking at paragraphs 102-110 of the NPPF, consistent with national planning policy and guidance.
Chilterns AONB and its Setting Policy (LPCS)	NPPF paragraphs 8 (sustainable development), 124-131 (design), 170 and 172 (AONBs and landscape), 127, 180 (amenity etc), 180(d) (dark landscapes), 184-202 (heritage) and 170, 174-177 (biodiversity / Net Gain / green infrastructure). NPPG Paragraphs 26-001-20191001 to 26-023-20191001 (design), 8-036-20190721 to 8-042-20190721 (landscape), 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-039-20190723 to 18a-041-20190723 (heritage), 37-004-20140306 (rights of way) and 8-004-20190721 to 8-035-20190721 (biodiversity / Net Gain and green infrastructure)	The policy follows best practice in the NPPF and NPPG in setting out the requirements for development within or affecting the setting of the Chilterns AONB. In addition the individual criteria within the policy also reference other themes in the NPPF and NPPG such as the economic, social and environmental wellbeing of the Parish and the cumulative effects of such development. It is considered to reflect national planning policy and guidance in the NPPF and NPPG.
Local Valued Landscape Policy (LPLV)	NPPF paragraphs 8 (sustainable development), 124-131 (design), 170, 172 (AONBs and landscape), 180(d) (dark landscapes), 184-202 (heritage) and 174-177 (biodiversity / Net Gain) NPPG Paragraphs 8-036-20190721 to 8-042-20190721 (landscape), 31-001-20191101 to 31-007-20191101 (light pollution), 18a-001-20190723 to 18a-063-20190723 and 18a-039-20190723 to 18a-041-20190723 (heritage) and 8-004-20190721 to 8-035-20190721 (biodiversity / Net Gain)	The policy describes the approach to be adopted for development affecting the local valued landscape that is designated in the Plan. The themes in the policy directly reflect national planning policy and guidance in the NPPF and NPPG in relation to landscape, setting, character, heritage and biodiversity.

² <https://questions-statements.parliament.uk/written-statements/detail/2015-03-25/HCWS488>

4 CONTRIBUTION TO SUSTAINABLE DEVELOPMENT

4.1 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 in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area”.

4.2 In considering the economic role, the Plan seeks to secure the economic wellbeing of the Parish (policy LPCS) and more generally to ensure that in all dimensions, sustainable development, In the Plan area, means ensuring that better lives now don't mean worse lives for future generations. This has both social and environmental dimensions but, importantly, it also has an economic dimension.

4.3 Good design, as would be achieved through policy LCDPG, will secure the use of environmentally friendly materials, methods and energy sources, all of which will contribute to the economic sustainability of the Plan. Furthermore, through the identification of a single housing allocation site for the construction of three to four dwellings, the Plan will ensure that the opportunity for a local building firm and/or local trades to work on the site is ensured, bringing further economic sustainability to the Plan area.

4.4 Turning to the social role, the Plan's policies wholeheartedly support the social element of sustainable development, with many of the policies either dealing with socially important matters, or containing socially significant criteria that have evolved from the detailed and extensive consultation exercises that are recorded at Appendix E to the Plan. Those policies and criteria will operate to help meet the needs of the community over the life of the Plan, including through the provision of housing.

4.5 In considering the environmental role, 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 individual identity of settlements by using gap, landscape and separation policies.

4.6 The vision of the Neighbourhood Development Plan is to

“Preserve the rural character and retain the open spaces in and around the parish through appropriate housing development and by being geographically separate from nearby larger settlements, supporting and enhancing the Chilterns AONB, engaging with our parish communities, and prioritising road safety.”

4.7 This translates through to the objectives of the Neighbourhood Development Plan which are focussed on the environment (objectives 1, 3 and 5), social matters (objectives 1, 2, 4 and 6) and economic matters (objectives 2, 4 and 5).

4.8 Table 2 below has assessed the Plan’s policies in terms of how it will deliver sustainable development in the economic, social and environmental aspects of sustainability. It shows that the Plan’s policies address all three objectives in clear and logical ways.

4.9 The degree to which the policies meet key sustainable development objectives is scored in the table below. The scoring is as follows:

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

Table 2: Assessment of Sustainability of Neighbourhood Plan Policies

NP Policy Number and Title	Achievement of Sustainable Development
ALL POLICIES	Taken as a whole, all policies in the Neighbourhood Plan have taken, as their starting point, the instruction in paragraph 9 of the NPPF that <i>“Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area”</i> .

Infill Policy (LCI)	Economic Social Environmental	+ ++ ++
Separation of Settlements Policy (LCSS)	Economic Social Environmental	0 ++ ++
Quiet Lanes Policy (LCQL)	Economic Social Environmental	0 ++ ++
Local Gap Policy (LPLG)	Economic Social Environmental	0 ++ ++
General Design Principles Policy (LCDPG)	Economic Social Environmental	++ ++ ++
Design Principles Extensions Policy (LCDPE)	Economic Social Environmental	++ ++ ++
Design Principles General Amenity Policy (LCDPGA)	Economic Social Environmental	+ ++ ++
Housing Allocation Policy (HDA)	Economic Social Environmental	++ ++ ++
Safety for All Road Users Policy (LTSRU)	Economic Social Environmental	0 ++ ++
Preservation of Footpaths, Bridleways and Tracks Policy (LTPFBT)	Economic Social Environmental	+ ++ ++
Safe Access and Parking Policy (LTSAP)	Economic Social Environmental	+ ++ ++
Chilterns AONB and its Setting Policy (LPCS)	Economic Social Environmental	+ ++ ++
Local Valued Landscape Policy (LPLV)	Economic Social Environmental	0 ++ ++

5 CONFORMITY WITH STRATEGIC POLICIES

5.1 The Development Plan in the South Oxfordshire District area is The South Oxfordshire Local Plan 2011-2035 (adopted December 2020).

5.2 The policies of the KENDP are shown in Table. 3 below. Each Neighbourhood Development Plan policy is accompanied by a statement describing the ‘general conformity’ with the strategic policies of the Development Plan.

5.3 Any Development Plan strategic policy that is not identified in Table 3 is not considered to be directly relevant to the KENDP.

Table 3: Conformity of Neighbourhood Development Plan Policies to the Strategic Policies of the Development Plan

NP Policy Number and Title	SODC Local Plan 2011-2035 Strategic Policy	Comment on Conformity
Infill Policy (LCI)	Policies STRAT1: The Overall Strategy; STRAT2: South Oxfordshire Housing and Employment Requirements; STRAT5: Residential Densities; H1: Delivering New Homes; H8: Housing in the Smaller Villages; H11: Housing Mix; H16: Backland and Infill Development and Redevelopment; ENV1: Landscape & Countryside; DES1: Delivering High Quality Development; DES2: Enhancing Local Character	This policy seeks to build upon the policies of the development plan (especially policies STRAT1, H8 and H16) in maintaining the special character of the settlements in the Plan area and their associated spatial arrangement and appearance through an appropriate scale of development. It draws upon Neighbourhood Development Plan evidence from community consultation exercises (appendix E) and visual and spatial character / character appraisal documents (appendix D) to develop a policy approach that is in general conformity with the strategic policies of the development plan.
Separation of Settlements Policy (LCSS)	Policies STRAT1: The Overall Strategy; H1: Delivering New Homes; H8: Housing in the Smaller Villages; H16: Backland and Infill Development and Redevelopment; ENV1: Landscape & Countryside; DES1: Delivering High Quality Development; DES2: Enhancing Local Character	The separation of settlements policy will help to maintain the separate identities of the settlements in the Plan area. This is in general conformity with the development strategy, the policies for smaller villages and infill, and the design and landscape policies in the development plan.
Quiet Lanes Policy (LCQL)	Policies STRAT1: The Overall Strategy; H1: Delivering New Homes; H8: Housing in the Smaller Villages; H16: Backland and Infill Development and Redevelopment; ENV1: Landscape & Countryside; DES1: Delivering High Quality	The quiet lanes policy will help to maintain the rural character and tranquillity of the Plan area and the settlements in the Plan area. This is in general conformity with the development strategy, the policies for smaller villages and infill, and the design and landscape policies in the development plan.

	Development; DES2: Enhancing Local Character	
Local Gap Policy (LPLG)	Policies STRAT1: The Overall Strategy; H1: Delivering New Homes; H8: Housing in the Smaller Villages; H11: Housing Mix; H16: Backland and Infill Development and Redevelopment; ENV1: Landscape & Countryside; DES1: Delivering High Quality Development; DES2: Enhancing Local Character	The local gap policy seeks to maintain the separate identity of Tokers Green through the introduction of a local gap. The gap policy will be in general conformity with the policies in the development plan, including strategic policies, in helping to preserve the separate identity of the settlement and maintain the local character of the settlement.
General Design Principles Policy (LCDPG)	Policies STRAT1 The Overall Strategy; STRAT5 Residential Densities; H16: Backland and Infill Development and Redevelopment; ENV1 Landscape and Countryside; ENV2 Biodiversity – Designated Sites, Priority Habitats and Species; ENV3 Biodiversity; ENV5 Green Infrastructure in New Developments; ENV6 Historic Environment; ENV7 Listed Buildings; DES1 Delivering High Quality Development; DES2 Enhancing Local Character; DES6 Residential Amenity; DES7 Efficient Use of Resources; DES8 Promoting Sustainable Design; DES9 Renewable and Low Carbon Energy; DES10 Carbon Reduction	This general design policy draws on and reflects a number of strategic and detailed policies in the development plan. It does not exceed the controls in those policies but instead seeks to apply them at a local level, tailored to local circumstances. Consequently it is in general conformity with the strategic policies of the development plan.
Design Principles Extensions Policy (LCDPE)	Policies STRAT1 The Overall Strategy; STRAT5 Residential Densities; H16: Backland and Infill Development and Redevelopment; ENV6 Historic Environment; ENV7 Listed Buildings; DES1 Delivering High Quality Development; DES2 Enhancing Local Character; DES6 Residential Amenity; DES7 Efficient Use of Resources; DES8 Promoting Sustainable Design; H20 Extensions to Dwellings	This design policy draws on and reflects a number of strategic and detailed policies in the development plan. It does not exceed the controls in those policies but instead seeks to apply them at a local level, tailored to local circumstances. Consequently it is in general conformity with the strategic policies of the development plan.
Design Principles General Amenity Policy (LCDPGA)	Policies STRAT1 The Overall Strategy; STRAT5 Residential Densities; H16: Backland and Infill Development and Redevelopment; ENV11: Pollution - Impact from Existing and/or Previous Land Uses on	This amenity policy draws on and reflects a number of strategic and detailed policies in the development plan. It does not exceed the controls in those policies but instead seeks to apply them at a local level, tailored to local circumstances. Consequently it

	New Development (Potential Receptors of Pollution); ENV12: Pollution - Impact of Development on Human Health, the Natural Environment and/or Local Amenity (Potential Sources of Pollution) DES1 Delivering High Quality Development; DES2 Enhancing Local Character; DES6 Residential Amenity; TRANS5 Consideration of Development Proposals; INF4 Water Resources; EP3 Waste Collection and Recycling	is in general conformity with the strategic policies of the development plan.
Housing Allocation Policy (HDA)	Policies STRAT1 The Overall Strategy; STRAT5 Residential Densities; H8: Housing in the Smaller Villages; H11: Housing Mix; H16: Backland and Infill Development and Redevelopment; ENV1 Landscape and Countryside; ENV2 Biodiversity – Designated Sites, Priority Habitats and Species; ENV3 Biodiversity; ENV5 Green Infrastructure in New Developments; ENV6 Historic Environment; ENV7 Listed Buildings; DES1 Delivering High Quality Development; DES2 Enhancing Local Character; DES6 Residential Amenity; DES7 Efficient Use of Resources; DES8 Promoting Sustainable Design; DES9 Renewable and Low Carbon Energy; DES10 Carbon Reduction	This allocation policy sets out a series of criteria against which development proposals on the allocation site will be judged. The criteria broadly reflect the policies in the Local Plan and consequently the policy is considered to be in general conformity with the strategic policies of the development plan.
Safety for All Road Users Policy (LTSRU)	Policies STRAT1 The Overall Strategy; H16: Backland and Infill Development and Redevelopment; DES1 Delivering High Quality Development; DES2 Enhancing Local Character; TRANS5 Consideration of Development Proposals	The narrow focus of this policy - design and highway safety – reflect the policy approach in the development plan. The policy’s criteria are detailed and are in general conformity with those equivalent policies in the development plan. Furthermore, they accord with the requirements of strategic policy STRAT1.
Preservation of Footpaths, Bridleways and Tracks Policy (LTPFBT)	Policies STRAT1 The Overall Strategy; H16: Backland and Infill Development and Redevelopment; DES1 Delivering High Quality Development; INF1: Infrastructure Provision;	The criteria in this policy seek to achieve the ongoing maintenance of footpaths and cycleways as well as encouraging enhancements. The policy also promotes the use of sustainable means of transport. In both cases there is support for such an

	TRANS2 Promoting Sustainable Transport and Accessibility; TRANS5 Consideration of Development Proposals	approach in the policies of the development plan. The policy is therefore in general conformity with both the strategic and non-strategic policies of the development plan.
Safe Access and Parking Policy (LTSAP)	Policies STRAT1 The Overall Strategy; H16: Backland and Infill Development and Redevelopment; DES1 Delivering High Quality Development; TRANS2 Promoting Sustainable Transport and Accessibility; TRANS5 Consideration of Development Proposals	The narrow focus of this policy – parking and highway safety – reflect the policy approach in the development plan. The policy's criteria are detailed and are in general conformity with those equivalent policies in the development plan. Furthermore, they accord with the requirements of strategic policy STRAT1.
Chilterns AONB and its Setting Policy (LPCS)	Policies STRAT1 The Overall Strategy; STRAT5 Residential Densities; H8: Housing in the Smaller Villages; H16: Backland and Infill Development and Redevelopment; ENV1 Landscape and Countryside; ENV2 Biodiversity – Designated Sites, Priority Habitats and Species; ENV3 Biodiversity; ENV6 Historic Environment; ENV7 Listed Buildings; DES1 Delivering High Quality Development; DES2 Enhancing Local Character	The nationally important Chilterns AONB is highly sensitive to inappropriate development. This policy seeks to ensure that development that affects the special qualities of the AONB is only supported in certain circumstances, all of which are echoed in the Local Plan policies and in particular policies ENV1 and STRAT1. The policy is therefore considered to be in general conformity with the strategic policies and the non-strategic policies of the development plan.
Local Valued Landscape Policy (LPLV)	Policies STRAT1 The Overall Strategy; STRAT5 Residential Densities; H8: Housing in the Smaller Villages; H16: Backland and Infill Development and Redevelopment; ENV1 Landscape and Countryside; ENV2 Biodiversity – Designated Sites, Priority Habitats and Species; ENV3 Biodiversity; ENV6 Historic Environment; ENV7 Listed Buildings; DES1 Delivering High Quality Development; DES2 Enhancing Local Character	The locally valued landscape forming the southern part of the Plan area is also sensitive to inappropriate development. This policy seeks to ensure that development in this area will only be supported in certain circumstances, all of which are echoed in the Local Plan policies and in particular in policies ENV1 and STRAT1. The policy is therefore considered to be in general conformity with the strategic policies and the non-strategic policies of the development plan.

6 COMPATIBILITY WITH EU OBLIGATIONS / PRESCRIBED CONDITIONS

6.1 The EU Directives that are of most relevance to the Kidmore End Neighbourhood Development 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

6.2 Other Directives that are not directly relevant to the Neighbourhood Development 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)

6.3 The fifth Basic Condition requirement that ‘Prescribed Conditions’ are met, means – for the purposes of this Neighbourhood Development Plan – that the making of the Neighbourhood Development 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.

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

6.5 Furthermore it is necessary to consider whether the Neighbourhood Development 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

6.6 Dealing with this last matter first, the Neighbourhood Development Plan Steering Group, being cognisant of the obligations in relation to Human Rights, have sought to ensure that the Neighbourhood Development Plan has regard to the fundamental rights and

freedoms guaranteed under the ECHR and that it complies with the Human Rights Act 1998.

6.7 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

6.8 The process of developing this Neighbourhood Development 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 Development Plan (see Consultation Statement for details).

6.9 This engagement with the local community (through consultation with a wide array of social, recreational, religious, voluntary, educational and business 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 Development 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.

6.10 In addition, as Appendix A to this Statement demonstrates, an equalities impact assessment of the Neighbourhood Development 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.

Strategic Environmental Assessment and Habitats Regulation Assessment

- 6.11 The Neighbourhood Development Plan steering group, on behalf of Kidmore End Parish Council, submitted a formal request to South Oxfordshire District Council concerning the need for a Strategic Environmental Assessment (SEA) and a Habitats Regulation Assessment (HRA) Appropriate Assessment of the draft Neighbourhood Development Plan prior to February 2019.
- 6.12 A Screening Statement on the determination of the need for a Strategic Environmental Assessment (SEA) was issued by South Oxfordshire District Council on the 3rd July 2020. The conclusion of this Screening Statement was that the Kidmore End Neighbourhood Development Plan does not require either a SEA or a HRA Appropriate Assessment.
- 6.13 As a consequence, it is considered that the Kidmore End Neighbourhood Development Plan does not breach, and indeed it is compatible with, the SEA, Habitats and Wild Birds Directives, and that the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017 are met.

Other EU Obligations

- 6.14 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.
- 6.15 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 the EIA Directive.

Equality

- 6.16 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: that policies and decision making do not discriminate either accidentally or deliberately.
- 6.17 An Equality Impact Assessment (EqIA) of the policies of the Neighbourhood Development Plan is provided at in **Appendix A** to this document. The assessment concludes that the Neighbourhood Development Plan policies generally have a neutral impact on protected characteristics, but that in a few instances the policies may have a positive impact on disability. The EqIA concludes that no changes to the policies are

necessary, but that if desired, explicit mention of opportunities to provide level access and other design solutions for those with disabilities could be made in the policies where a positive score is recorded.

7 CONCLUSIONS

- 7.1 Having undertaken an analysis of the Neighbourhood Development 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 OF KIDMORE END NEIGHBOURHOOD DEVELOPMENT PLAN

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 Appendix is to assess the submission draft of the Kidmore End Neighbourhood Development Plan 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.

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 tables below identify 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 for the exercise and the conclusions fed into the Basic Conditions Statement findings.

Infill Policy (LCI)			
Effect on Protected Characteristics?	Positive	Neutral	Negative
Age		X	
Disability		X	
Gender reassignment		X	
Marriage and civil partnership		X	
Race		X	
Religion or belief		X	
Sex		X	
Sexual orientation		X	
Pregnancy and maternity		X	
Comments		None	

Separation of Settlements Policy (LCSS)			
Effect on Protected Characteristics?	Positive	Neutral	Negative
Age		X	
Disability		X	
Gender reassignment		X	
Marriage and civil partnership		X	
Race		X	
Religion or belief		X	
Sex		X	
Sexual orientation		X	
Pregnancy and maternity		X	
Comments		None	

Quiet Lanes Policy (LCQL)			
Effect on Protected Characteristics?	Positive	Neutral	Negative
Age		X	
Disability		X	
Gender reassignment		X	
Marriage and civil partnership		X	
Race		X	
Religion or belief		X	
Sex		X	
Sexual orientation		X	
Pregnancy and maternity		X	
Comments		None	

Local Gap Policy (LPLG)			
Effect on Protected Characteristics?	Positive	Neutral	Negative
Age		X	
Disability		X	
Gender reassignment		X	
Marriage and civil partnership		X	
Race		X	
Religion or belief		X	
Sex		X	
Sexual orientation		X	
Pregnancy and maternity		X	
Comments		None	

General Design Principles Policy (LCDPG)			
Effect on Protected Characteristics?	Positive	Neutral	Negative
Age		X	
Disability	X		
Gender reassignment		X	
Marriage and civil partnership		X	
Race		X	
Religion or belief		X	
Sex		X	
Sexual orientation		X	
Pregnancy and maternity		X	
Comments	Quality design will ensure buildings are genuinely accessible	None	

Design Principles Extensions Policy (LCDPE)			
Effect on Protected Characteristics?	Positive	Neutral	Negative
Age		X	
Disability		X	
Gender reassignment		X	
Marriage and civil partnership		X	
Race		X	
Religion or belief		X	
Sex		X	
Sexual orientation		X	
Pregnancy and maternity		X	
Comments		None	

Design Principles General Amenity Policy (LCDPGA)			
Effect on Protected Characteristics?	Positive	Neutral	Negative
Age		X	
Disability		X	
Gender reassignment		X	
Marriage and civil partnership		X	
Race		X	
Religion or belief		X	
Sex		X	
Sexual orientation		X	
Pregnancy and maternity		X	
Comments		None	

Housing Allocation Policy (HDA)			
Effect on Protected Characteristics?	Positive	Neutral	Negative
Age		X	
Disability		X	
Gender reassignment		X	
Marriage and civil partnership		X	
Race		X	
Religion or belief		X	
Sex		X	
Sexual orientation		X	
Pregnancy and maternity		X	
Comments		None	

Safety for All Road Users Policy (LTSRU)			
Effect on Protected Characteristics?	Positive	Neutral	Negative
Age		X	
Disability	X		
Gender reassignment		X	
Marriage and civil partnership		X	
Race		X	
Religion or belief		X	
Sex		X	
Sexual orientation		X	
Pregnancy and maternity		X	
Comments	Policy has potential to improve safety for all road users including those with disabilities	None	

Preservation of Footpaths, Bridleways and Tracks Policy (LTPFBT)			
Effect on Protected Characteristics?	Positive	Neutral	Negative
Age		X	
Disability	X		
Gender reassignment		X	
Marriage and civil partnership		X	
Race		X	
Religion or belief		X	
Sex		X	
Sexual orientation		X	
Pregnancy and maternity		X	
Comments	Policy has potential to facilitate greater accessibility on existing / new routes	None	

Safe Access and Parking Policy (LTSAP)			
Effect on Protected Characteristics?	Positive	Neutral	Negative
Age		X	
Disability	X		
Gender reassignment		X	
Marriage and civil partnership		X	
Race		X	
Religion or belief		X	
Sex		X	
Sexual orientation		X	
Pregnancy and maternity		X	
Comments	Off-road parking is better for accessibility	None	

Chilterns AONB and its Setting Policy (LPCS)			
Effect on Protected Characteristics?	Positive	Neutral	Negative
Age		X	
Disability		X	
Gender reassignment		X	
Marriage and civil partnership		X	
Race		X	
Religion or belief		X	
Sex		X	
Sexual orientation		X	
Pregnancy and maternity		X	
Comments		None	

Local Valued Landscape Policy (LPLV)			
Effect on Protected Characteristics?	Positive	Neutral	Negative
Age		X	
Disability		X	
Gender reassignment		X	
Marriage and civil partnership		X	
Race		X	
Religion or belief		X	
Sex		X	
Sexual orientation		X	
Pregnancy and maternity		X	
Comments		None	

Having regard to the above it can be seen that the policies in the Kidmore Neighbourhood Development Plan submission draft will generally have a neutral, and in some limited cases a positive, impact on protected characteristics (specifically disability).

Therefore it is concluded that no changes are necessary although if desired, explicit mention of opportunities to provide level access and other design solutions for those with disabilities could be made in the policies where a positive score is recorded as noted above.