



Hailey Neighbourhood Plan

Whiteoak Green – Delly End – Hailey – Poffley End – New Yatt – Pitts Lane – Foxburrow

Hailey

Neighbourhood Plan

2015 - 2031

Basic Conditions Statement

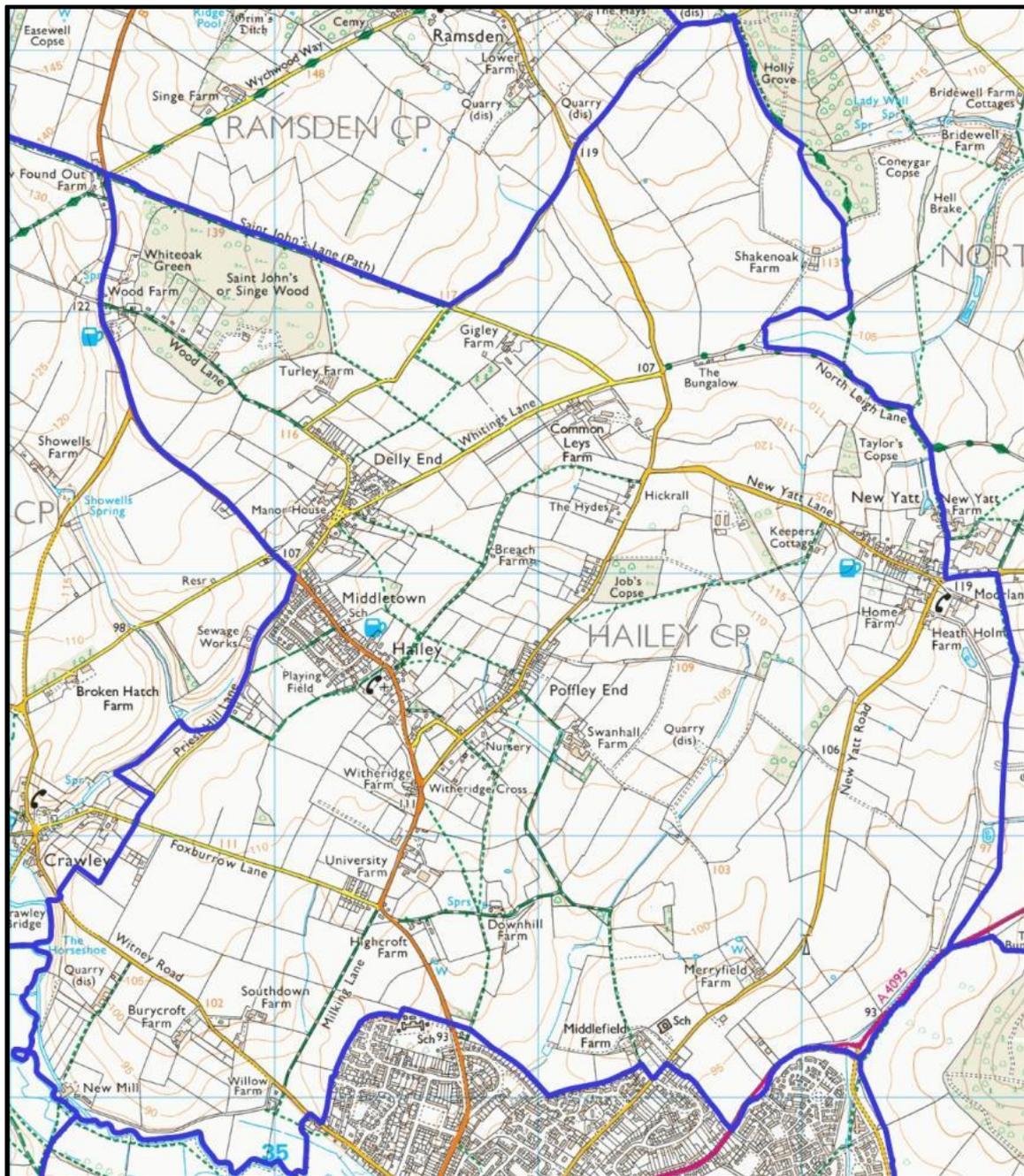
This Statement of Conformity outlines how the Hailey Neighbourhood Plan meets Neighbourhood Planning (General) Regulations 2012 and, in particular, how it meets the requirements of Paragraph 8 of schedule 4B to the 1990 Town and Country Planning Act which relates to the 'basic conditions' to which a Neighbourhood Plan must conform.

Draft for submission to West Oxfordshire District Council, June 2018.

The Hailey Neighbourhood Plan 2031

has been prepared by **Hailey Neighbourhood Plan Project Team** on behalf of **Hailey Parish Council** in accordance with:

1. Town and Country Planning Act 1990 (as amended by the Localism Act 2011)
2. The Neighbourhood Planning Regulations 2012 covering the Parish of Hailey as outlined on the map below:



1. The draft Plan is submitted by Hailey Parish Council, which, as a qualifying body, is entitled to submit a Neighbourhood Plan for the parish. The Plan has been prepared by the Hailey Neighbourhood Plan Project Team, which has been asked to prepare the Plan by Hailey Parish Council.
2. The whole Parish of Hailey has been formally designated as a Neighbourhood Area through an application made following a resolution at the September 2015 Parish Council meeting, under the Neighbourhood Planning Regulations 2012 (part 2 S6) and approved by West Oxfordshire District Council on 1st December 2015.
3. The draft Plan contains policies relating to the development and use of land within the Neighbourhood Area. Proposals relating to planning matters (the use and development of land) have been prepared in accordance with the statutory requirements and processes set out in the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and the Neighbourhood Planning Regulations 2012.
4. The draft Plan identifies the period to which it relates as 2015 to 2031. The period has been chosen to align with the dates of the West Oxfordshire Local Plan 2011-2031.
5. The draft Plan does not deal with County matters (mineral extraction and waste development), nationally significant infrastructure or any other matters set out in Section 61K of the Town and Country Planning Act 1990.
6. The draft Plan relates only to the Parish of Hailey. It does not relate to any other Neighbourhood Area and there are no other neighbourhood development plans in place within the Neighbourhood Area.

Hailey Parish Council is satisfied that the draft Plan complies with the following legislation:

- Basic Conditions set out in Paragraph 8 (2) of Schedule 4B to the Town & Country Planning Act (as amended) (1990)
- European Convention on Human Rights (1998) and European Union (EU) Obligations
- Sections 38A and 38B of the Planning and Compulsory Purchase Act 2004 concerning Neighbourhood Development Plans

The West Oxfordshire Local Plan (WOLP) (2011-31)

7. The overarching development plan document for the West Oxfordshire District area is the new Local Plan that has been subject to independent examination¹ and is at a late stage of preparation. In January 2018 the Inspector indicated that the modified plan is likely to be capable of being found legally compliant and sound. Thus, whilst the examination is not fully concluded, some considerable weight may be applied to the new Local Plan with an anticipated adoption within the next few months.
8. The WOLP (to 2031) comprises a Vision and 18 Core Objectives categorised under five themes: market towns & villages; meeting housing needs; economy; sustainable communities; environment & climate change. The overall Strategy sets out how the Vision and Objectives will be achieved, including a hierarchy of Main Service Centres, Rural Service Centres & Villages, with Policy H1 making provision for at least 15,590 homes allocated according to five identified

¹ <http://www.westoxon.gov.uk/localplan2031>

Sub-Areas (Witney, Carterton, Chipping Norton, Eynsham-Woodstock and Burford-Charlbury). The Plan further includes Policies relating to use of natural resources, high quality design, supporting infrastructure, housing, economic growth, transport and movement, environmental and heritage assets, local level strategies for the Sub-Areas, and delivery and monitoring.

9. The Hailey Neighbourhood Plan (HNP) is located in the Witney Sub-Area (as defined by the new Local Plan) that has an anticipated housing delivery of 4,702 new homes in the period 2011 - 2031, the majority being located at Witney as the District's largest and most sustainable settlement. Of particular relevance to the HNP are the Local Plan Policies OS2 Locating Development in the Right Places, H2 Housing, and WIT2 North Witney Strategic Development Area (SDA) the latter of which allocates about 1,400 new homes in the plan period.

The Hailey Neighbourhood Plan (HNP)

10. The Hailey Neighbourhood Plan (HNP) area covers the Parish of Hailey and was designated in 2015. WODC is the responsible authority for the HNP in accordance with the SEA Regulations. Hailey Parish Council is the qualifying body, as defined by the Localism Act (2011), and responsible for the development of the Neighbourhood Plan. A Neighbourhood Plan attains the same legal status as the Local Plan once it has been approved at referendum – and thus becomes part of the statutory development plan. A Neighbourhood Plan must be in general conformity with the strategic policies of the development plan in force.

11. The Draft HNP comprises 6 Goals supported by Objectives seeking to deliver those Goals and manage development. The HNP is structured according to section themes, as follows:

- Housing
- North Witney
- Education
- Transport
- Local Economy & Employment
- Community & Recreational Facilities
- Environment

The HNP is completed by eleven appendices including the members of the HNP Steering Group, data sources and references, residents' responses to the HNP Questionnaire, maps of site allocations and other key information.

Contribution to Sustainable Development

12. To contribute to sustainable development the following desirable NPPF factors were addressed in the HNP:

- Supporting a prosperous rural economy, with planning policies that support economic growth in rural areas to create jobs and prosperity through conversions and new build.
- Promoting sustainable transport.
- Supporting high quality communications infrastructure, including the development of telecommunications and high-speed broadband technology.
- Delivering a wide choice of high-quality homes to boost significantly the supply of market and affordable homes.
- Promoting healthy communities, including the provision of shared space and community facilities (local shops, meeting places, sports venues, public houses and places of worship) and protection of existing open space and playing fields.
- Conserving and enhancing the natural environment.

13. In pursuit of these NPPF factors the HNP addresses the following goals:
- To provide existing and future residents with the opportunity to live in good quality housing in a pleasant environment.
 - To seek opportunities for landscape, recreational and ecological gain whilst minimising the environmental impact of new development.
 - To reduce the need for travel by car and shorten the length and duration of journeys.
 - To enhance the prospects for local employment.
 - To maintain the character and vitality of the villages.
 - To develop, maintain or improve the health, social and cultural and wellbeing of people living, working or visiting Hailey.

Strategic Environmental Assessment (SEA)

14. Strategic Environmental Assessment (SEA) is a European Union (EU) requirement that seeks to provide a high level of protection of the environment and to contribute to promoting sustainable development by integrating environmental considerations into the process of preparing certain plans and programmes. For testing Local Plans, SEA should be addressed as an integral part of the Sustainability Appraisal (SA) process. SA and SEA are tools to inform plan-making and are used to assess the likely effects of a plan when judged against reasonable alternatives.
15. It is only in limited circumstances that an SEA may be required when producing a NP – if it is likely to have significant environmental effects that have not already been assessed during the preparation of the Local Plan. The new Local Plan has been tested through SA/SEA with consultation at each stage of its preparation. The SA/SEA has been independently examined. Therefore, the HNP has been tested by SEA – but with a pragmatic approach building upon the SA/SEA already undertaken for the new Local Plan, and with a focus on the HNP site allocations that have not previously been subject to SA/SEA during the Local Plan preparation.
16. In summary, the SEA has found that the implementation of the HNP will have positive effects on SEA Objectives within the scope and sphere of influence of the Plan, particularly with regard to issues for affordability of housing. Policies in the HNP and WOLP provide mitigation measures to protect environmental assets and their settings – indicating likely residual neutral effects and some possibilities for minor positive effects. **Under Regulation 9(1) of the Environmental Assessment of Plans and Programmes Regulations 2004, the plan is unlikely to have significant environmental effects.**

Site Allocations

17. As part of the evidence gathering for the WODC Local Plan 2031, several calls for sites were issued and they were assessed in the **WODC Strategic Housing Land Availability Assessment (SHLAA) - June 2014** and the **WODC Strategic Housing and Economic Land Availability Assessment (SHEELA) 2016**. Subsequently the WODC Local Plan 2031 identified the North Witney site (1,400 dwellings) as an urban extension of Witney for inclusion. North Witney falls within the Hailey Neighbourhood Plan area. The Hailey Neighbourhood Plan team took the view that the North Witney site provided a sufficient number of urban dwellings to meet the needs within the Area and **did not seek to identify any additional urban related sites.**
18. The Neighbourhood Plan team also called for sites during the research period – focussing on infill and edge locations throughout the villages. As the response to this call was poor, we took the initiative to approach all landowners with potentially suitable sites. Surprisingly the **majority of landowners declined to put forward their sites.**

19. Following the initial assessment of site suitability outlined above, more detailed consideration was given to their suitability, availability and achievability.

Our assessment of **suitability** is based on a range of factors including:

- Accessibility (there are numerous single track roads criss-crossing the Area which were judged to be unsuitable for housing development);
- Policy constraints (e.g. Green Belt, AONB, loss of employment or community facilities);
- Physical constraints (e.g. Public Rights of Way, topography, existing uses, access, adjacent uses);
- Heritage (e.g. Conservation Areas, listed buildings, scheduled monuments, archaeology).

In terms of achievability, to be considered 'achievable' for development there must be a reasonable prospect that the site will be developed at a particular point in time. This is essentially a judgement about the economic viability of a site and the capacity of the developer to complete and sell the development over a certain period. Deliverable sites are those that are considered to be suitable, achievable, available and likely to come forward during the Neighbourhood Plan period (i.e. by 2031).

20. The Hailey Neighbourhood Plan therefore comprises the following primary documents:

- Hailey Neighbourhood Plan supported by
- HNP Consultation Statement.
- HNP Basic conditions statement (this document)
 - Includes a map indicating the Hailey Neighbourhood Area
- Strategic Environmental Assessment (SEA) report
 - Includes a statement confirming that under Regulation 9(1) of the Environmental Assessment of Plans and Programmes Regulations 2004 that the HNP is unlikely to have significant environmental effects.

GALK
25th June 2018