

# FLEET NEIGHBOURHOOD PLAN

2018 - 2032

## BASIC CONDITIONS STATEMENT

December 2018

Published by Fleet Town Council under the Neighbourhood Planning (General) Regulations 2012 (as amended) and the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018

## 1. INTRODUCTION

1.1 This statement has been prepared by Fleet Town Council ("the Town Council") to accompany its submission of the Fleet Neighbourhood Plan ("the Neighbourhood Plan") to the local planning authority, Hart District Council ("the District Council"), under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 ("the Regulations").

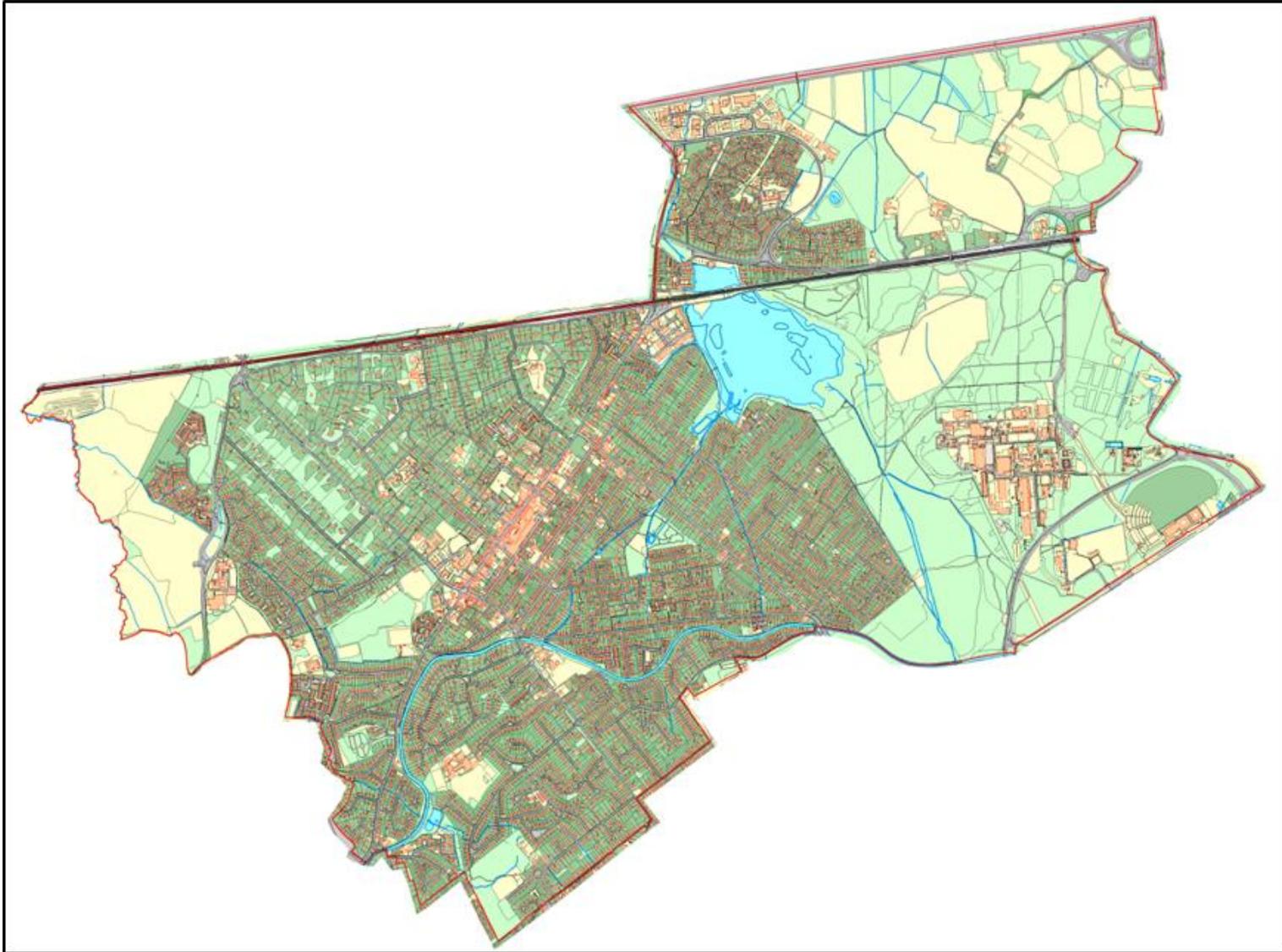
1.2 The Neighbourhood Plan has been prepared by the Town Council, a qualifying body, for the Neighbourhood Area, which coincides with the boundary of the Parish of Fleet and which was designated by the District Council on 15 April 2015.

1.3 The policies described in the Neighbourhood Plan relate to the development and use of land in the designated Neighbourhood Area. They do not relate to 'excluded development', as defined by the Regulations. The plan period of the Neighbourhood Plan is from 2018 – 2032, which corresponds with the end of the plan period of the emerging Hart Local Plan Strategy and Sites 2016 - 2032.

1.4 The statement addresses each of the four 'Basic Conditions' required of the Regulations and explains how the submitted Neighbourhood Plan meets the requirements of paragraph 8 of Schedule 4B to the 1990 Town & Country Planning Act.

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

- Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the Neighbourhood Development Plan,
- The making of the Neighbourhood Development Plan contributes to the achievement of sustainable development,
- The making of the Neighbourhood Development Plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).
- The making of the Neighbourhood Development Plan does not breach, and is otherwise compatible with EU obligations



*Plan A: Fleet Designated Neighbourhood Area*

## **2.BACKGROUND**

2.1 The decision to proceed with a Neighbourhood Plan was made by the Town Council in 2015. The key driver of this decision was a sense of wanting to plan positively for the town's future given the development and growth taking place in and around Fleet. This was to ensure these demands could be serviced without undermining the quality and attractiveness of the town.

2.2 The Town Council also saw the opportunity presented by neighbourhood planning to take forward the vision set out in the Fleet Town Plan to enhance the vibrancy and attractiveness of the town centre and its capacity to meet the future retail, commercial and cultural needs of the growing population from surrounding areas and encourages people to utilise its facilities. This focusses on an opportunity to create a 'Civic Quarter' and for the Town Council to work collaboratively with Hart District Council and Hampshire County Council, the three main land owners.

2.3 A steering group was formed comprising residents and Town Council representatives. The group has been delegated authority by the Town Council to make day-to-day decisions on the preparation of the Neighbourhood Plan. However, as the qualifying body, the Town Council approved the publication of the Pre-Submission plan in May 2018.

2.4 The Town Council has consulted local communities extensively over the duration of the project. Since the start of the project, it has also worked closely with officers of the District Council to collate and examine the evidence base, to design and iterate policy proposals and to define the proper relationship between the Neighbourhood Plan and the emerging Local Plan Strategy. The outcome of that work is the submission version of the Neighbourhood Plan which is to be submitted to Hart District Council prior to the end of the NPPF 2012 transitional period and is therefore assessed for general conformity against the 2012 Framework.

2.5 The Neighbourhood Plan contains nineteen land use policies, some of which are defined on the Policy Maps. The Plan has deliberately avoided proposing policies that duplicate saved or forthcoming development plan policies or national policies that are already or will be used to determine planning applications. The policies are therefore a combination of site-specific proposals and other policies that address design and development management matters that seek to refine Local Plan policies.

### **3.CONFORMITY WITH NATIONAL PLANNING POLICY**

3.1 The Neighbourhood Plan has been prepared with full regard to national policies as set out in the National Planning Policy Framework (NPPF) of 2012 and is mindful of the Planning Practice Guidance (PPG) in respect of formulating Neighbourhood Plans. The changes in the NPPF (2018) do not fundamentally alter the national planning policy context of this Plan, although the new NPPF reinforces the importance of achieving well-designed places as a central tenet of sustainable development and fundamental to what the planning and development process should achieve.

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

#### Para 16 and 183

3.3 The Town Council believes the Neighbourhood Plan is planning positively to support the strategic development needs of the District, as framed by the adopted development plan and by the evidence base of the emerging Local Plan, by enhancing the retail and cultural offer of Fleet Town centre by improving its attractiveness and accessibility. The Plan represents a vision, objectives and policies for the neighbourhood area that reflect the desires of the majority of the local community for the kind of place that the town should remain and how it should change for the better in coming years.

#### Para 184 and 185

3.4 The Town Council believes the Neighbourhood Plan, as is highlighted below, is in general conformity with all the relevant policies of the development plan. It is considered to strike a positive balance between promoting the continued development of the area on the one hand and conserving its essential suburban and distinct commercial offer on the other. The Plan deliberately avoids duplicating development plan policies by focusing on policies that translate the general requirements of the development plan and other adopted supplementary planning guidance into specific policies for the area. Once made, the Neighbourhood Plan should be easily considered alongside the development plan and any other material considerations in determining planning applications.

3.5 Set out in Table A below, is a brief summary of how each policy conforms to the NPPF (2012). 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 A: Neighbourhood Plan & NPPF Conformity Summary**

<b>Policy No.</b>	<b>Policy Title</b>	<b>Commentary</b>
	<b>Town Centre Policies</b>	
1	Fleet Civic Quarter (Zone 1)	This policy accords with §23 of the NPPF, as it supports proposals for a mixed use development within the town centre boundary and makes reference to retail/ commercial and other uses that contribute to a healthy and prosperous town centre and planning positively to enhance community facilities in line with §70. The policy also accords with §58 of the NPPF by setting out the quality of development that is expected by defining particular characteristics and ensuring new development remains in keeping with the surrounding area. It seeks to resist any loss of car parking, which accords with §40 of the NPPF and designates 'The Views' as Local Green Space in line with §76 and §77.
2	Land between Victoria Road & Gurkha Square (Zone 1b)	Policies 2, 3 and 4 seek to protect these areas from the unnecessary loss of valued retail premises and services consistent with §23 while defining the key design and development principles to maintain the areas viability and vitality and setting out the development objectives for these areas consistent with §58.
3	Land on the corner of Reading Road North & Fleet Road (Zone 1c)	
4	Land off Harlington Way (Zone 1d)	
5	Leisure and Night Time Economy - Fleet Road between Upper Street & the Oatsheaf crossroads (Zone 2)	This policy also accords with §23 of the NPPF, supporting changes of use that will contribute to the continuing vitality of the town centre. The policy also accords with §24 of the NPPF. The land lies within the Town Centre Boundary as do all the town centre policies and references other commercial uses that may contribute additional support for the vitality of the town centre by growing a night time economy.
6	Fleet Core Shopping Zone (Zone 3)	In addition to §23, this policy accords with §129 of the NPPF by acknowledging buildings of local heritage interest so that this interest may be considered in development proposals in line with §135.
7	Fleet Road between No. 151 Fleet Road and Kings Road Junction (Zone 4)	Policy 7 is also consistent with §23 while defining the key design and development principles intended to respect the character of this key gateway into the town centre area consistent

		with the principles set out in §58 and to deliver a choice of homes suitable for younger people or those wishing to downsize in line with §50.
8	Land at Albert Street (Zone 5)	Policies 8 and 9 promotes good design through improvements to the public realm that accord with §57 and §35 which states that plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people.
9	Fleet Road Public Realm (Zone 6)	
<b>Design and Heritage Policies</b>		
10	General Design Management policy	This series of design policies define firstly the key design principles that apply to all development within the designated area followed by a number of Design Management policies that relate to six character areas and their sub areas. They identify reasonable design criteria to manage development proposals in each sub area in line with §58.
11	Safeguarding bungalow stock for persons of limited mobility including people with disabilities and older residents	This policy accords with §50 by aiming to maintain the stock of bungalows of which there is short supply, for use by people of limited mobility including people with disabilities and older residents to support independent living
12	Buildings of Local Heritage and Townscape Value	Policy 12 accords with §129 of the NPPF by identifying buildings of local heritage interest so that this interest may be considered in development proposals in line with §135.
<b>Green Infrastructure Policies</b>		
13	Local Green Space	This policy proposes a number of important green spaces in the parish to be protected from development by the designation as Local Green (NPPF §76 and §77). Appendix 4 of the Submission Plan sets out how each proposed designation meets the criteria of the NPPF.
14	Basingstoke Canal Conservation Area	This policy defines the key design principles for development proposals in the Conservation Area, to ensure its character and appearance are sustained and enhanced (NPPF §61 and §126).
15	Residential Gardens	Large residential gardens are an important characteristic of the Fleet townscape, this policy sets out reasonable design criteria to manage development proposals in line with §58 and to avoid inappropriate development in line with §53.
16	North Fleet Conservation Area	This policy defines the design principles that should apply for development proposals in the North Fleet Conservation Area, to ensure its character and appearance are sustained and enhanced in line with NPPF §61 and §126.

17	Thames Basin Heath SPA Mitigation	This policy which accords with §118 of the NPPF has been retained following the conclusions of the original SEA/HRA screening determination and the recommendations of Hart District Council. Following submission however, it may be adjudged to be unnecessary and a duplication of strategic policy to be dealt with through the development plan.
	<b>Transport and Public Realm Policies</b>	
18	Cycling Network	This policy accords with §69 by encouraging sustainable modes of travel through the creation of new cycle links.
19	Residential Parking	Policy 19 seeks to support to the improvement in the provision and accessibility of residential parking consistent with NPPF §39.

## 4.CONTRIBUTING TO ACHIEVING SUSTAINABLE DEVELOPMENT

4.1 Originally the Neighbourhood Plan intended to include proposals to allocate sites and the screening opinion from the District Council in respect of the need to prepare a Strategic Environment Assessment (SEA) and Habitat Regulations Assessment (HRA) (see Section 6) under the EU Directives 42/2001 and the 2004 Environmental Assessment of Plans and Programmes Regulations, dated 4 April 2016, concluded that a Strategic Environmental Assessment will be required.

4.2 Given the Neighbourhood Plan no longer intends to allocate sites for housing development a further SEA/HRA Screening Report was commissioned and this concluded that neither an HRA (see Section 6) nor a SEA would be necessary because:

- Development within the plan is small in scale unlikely to exceed 8,000 sqm of retail floorspace and complementary development; and
- The policies of the plan when taken as a whole and in combination with other policies in the Hart Local Plan 1996-2006 (Replacement) and First Alterations and proposed policies in the Hart Local Plan 2016-2032 will likely have positive effects.

4.3 To demonstrate that the Plan will contribute to the achievement of sustainable development, this basic condition is addressed in Table B below. The potential of the Plan to have social, economic and environmental effects – positive (+), neutral (0) and negative (-) – is assessed for each of its policies, together with a summary commentary.

<b>Table B: Neighbourhood Plan &amp; Sustainable Development</b>					
<b>Policy</b>		<b>Soc.</b>	<b>Econ.</b>	<b>Env.</b>	<b>Commentary</b>
<b>Town Centre Policies</b>					
1	Fleet Civic Quarter (Zone 1)				These policies taken together supports redevelopment of the Civic Quarter area with a mixed use scheme including a community facility, to make full use of this prominent location while retaining the existing building line around the site perimeter; a key gateway to the town centre. It provides the opportunity to create a modern and comprehensive design solution which retains a locally valued green space and a recreational area.
2	Land between Victoria Road & Gurkha Square (Zone 1b)				
3	Land on the corner of Reading Road North & Fleet Road (Zone 1c)	+	+	+	
4	Land off Harlington Way (Zone 1d)				

5	Leisure and Night Time Economy - Fleet Road between Upper Street & the Oatsheaf crossroads (Zone 2)	+	+	0	The policy supports the provision of restaurant/café and hotel uses to expand the night-time economy and provide positive social benefits alongside the proposals for the Civic Quarter.
6	Fleet Core Shopping Zone (Zone 3)	0	+	+	This policy seeks to protect and improve the active frontages in the town centre, which looks to sustain the economic vitality of the centre and have positive environmental effects through the retention of frontages with heritage and townscape value.
7	Fleet Road between No. 151 Fleet Road and Kings Road Junction (Zone 4)	+	+	+	Policy 7 will have positive social and environmental effects by targeting residential accommodation towards a particular social need and by supporting enhancements to the public realm which aim to enliven this town centre gateway. It also seeks to have a positive economic effect by supporting proposals for the redevelopment of the remaining stock of buildings.
8	Land at Albert Street (Zone 5)	+	0	+	These policies provide social and environmental benefits by seeking to improve the public realm and to make area a safer and more attractive space for pedestrians Parts of Albert Street with areas of service access can be uninviting spaces
9	Fleet Road Public Realm (Zone 6)				
<b>Design and Heritage Policies</b>					
10	General Design Management policy	+	0	+	Policy 10 has positive social and environmental effects by promoting design principles that will at least sustain the distinct character of the neighbourhood area and by ensuring that the future standards of design reflect the characteristics across the area as a whole and the sub areas identified.
11	Safeguarding bungalow stock for persons of limited mobility including people with disabilities and older residents	+	0	0	The policy will have a positive social effect by safeguarding a housing type which is in short supply in the neighbourhood area to meet the needs of an ageing population and residents with particular housing requirements.
12	Buildings of Local Heritage and Townscape Value	0	0	+	The policy will have a positive environmental effect in encouraging the protection of a wide range of local heritage assets from unnecessary or unjustified loss.

	<b>Green Infrastructure Policies</b>				
13	Local Green Space	+	0	+	The policy has positive social and environmental effects by safeguarding and retaining valued greenspace.
14	Basingstoke Canal Conservation Area	0	0	+	The policy will have a positive environmental effect in helping to ensure the characteristics of the Conservation Area are protected and any proposals are dealt with sensitively.
15	Residential Gardens	+	0	+	Policy 15 is intended to provide positive effects by acknowledging the social and environmental value placed on residential garden land by the community.
16	North Fleet Conservation Area	0	0	+	The policy will have a positive environmental effect in helping to ensure that the future standards of design reflect the characteristics of the Conservation Area.
17	Thames Basin Heath SPA Mitigation	0	0	+	The policy has a positive environmental effect by acknowledging significance and encouraging improvements of important biodiversity assets within and adjacent to the neighbourhood area.
	<b>Transport and Public Realm Policies</b>				
18	Cycling Network	+	0	+	The policy has a positive environmental and health effect as it sets out to enhance the connectivity of the area and to provide opportunities to enable residents to travel around the area safely by bicycle.
19	Residential Parking	0	0	+	The policy will have a positive environmental effect in seeking to reduce the impact of on street parking on the character of the area.

## **5. GENERAL CONFORMITY WITH THE STRATEGIC POLICIES OF THE DEVELOPMENT PLAN**

5.1 The Neighbourhood Plan has been prepared to ensure its general conformity with the saved strategic policies of the development plan for the District, that is the saved policies of the adopted Hart District Local Plan 1996 - 2006. The Proposed Submission version of Hart Local Plan Strategy and Sites (HLPSS) 2016 - 2032 will replace the saved policies in due course, except those identified in paragraph 1.15 of the Submission version of the Fleet NP which HDC intends to continue to save.

5.2 The HLPSS was submitted for examination on the 18<sup>th</sup> June 2018 and hearing sessions commenced on the 20<sup>th</sup> November. The Fleet Neighbourhood Plan is likely to be examined before the HLPSS is adopted. However, its evolving reasoning and evidence base have been analysed during the preparation of the Neighbourhood Plan to ensure its strategic direction could be anticipated and planned for effectively.

5.3 The Proposed Submission version of the HLPSS of February 2018 defines Fleet as the major settlement within the District and required to sustain and encourage economic activity, and to meet the District's needs for housing, shopping, social services and recreation. The emerging Local Plan strategy acknowledges the strengths of Fleet as the main shopping destination in the District (Paragraph 117) and the town centres significance is expressed through Policy ED5.

5.4 An assessment of the general conformity of each policy, and its relationship with emerging HLPSS policy where relevant, is contained in Table C below.

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

No.	Policy Title & Refs	Commentary
<b>Town Centre Policies</b>		
1	Fleet Civic Quarter (Zone 1)	Taken together, the Town Centre policies refine F1 – F11 and URB3, URB4, URB8, URB11, URB20 and T9 on town centre shopping, commercial areas, shopfronts, community facilities and street improvements, by setting out provisions specific to the area of Fleet Road and Albert Street.  The policies also refine GEN1 (General Policy for Development) and GEN4 (General Design Policy) and CON17 in respect of design quality and the role of local heritage buildings in contributing to the street scene.  In supporting the vitality and viability of the town centre and its attractiveness as a shopping destination for the District as a whole (in a competitive market) the policies align with the proposals set out in Policy ED5 of the HLPSS. They also reflect the core finding of the recent publication of the Grimsey Review 2 Report ( <i>“It’s time to reshape our Town Centres”</i> ) which identifies the future success of High Streets will require a focus around creating a complete community hub.
2	Land between Victoria Road & Gurkha Square (Zone 1b)	
3	Land on the corner of Reading Road North & Fleet Road (Zone 1c)	
4	Land off Harlington Way (Zone 1d)	
5	Leisure and Night Time Economy - Fleet Road between Upper Street & the Oatsheaf crossroads (Zone 2)	
6	Fleet Core Shopping Zone (Zone 3)	
7	Fleet Road between No. 151 Fleet Road and Kings Road Junction (Zone 4)	
8	Land at Albert Street (Zone 5)	
9	Fleet Road Public Realm (Zone 6)	
<b>Design and Heritage Policies</b>		
10	General Design Management policy	The policy refines GEN 1 and GEN4 in relation to design principles and URB 12 (Residential Development Criteria) so they can be specifically applied to the neighbourhood area.
11	Safeguarding bungalow stock for persons of limited mobility including people with disabilities and older residents	The saved policies of the Hart District Local Plan are largely silent on this matter (predating a number of initiatives such as ‘Lifetime Homes’ Standards and ‘Buildings for Life’) other than in relation to external accessibility as defined by policy T9. The HLPSS includes this requirement within its ‘Vision’ statement and in part through Policy H6 (Internal Space Standards) which will enable changing personal circumstances to be accommodated in new homes.

12	Buildings of Local Heritage and Townscape Value	The saved policies of the Local Plan contain no formal list of non-designated heritage assets, and therefore the policy identifies 'local heritage assets' that should be considered as 'non-designated heritage assets'.  It also aligns with the emerging policy NBE9 (Historic Environment)
	<b>Green Infrastructure Policies</b>	
13	Local Green Space	The policy is consistent with URB21 in protecting important open spaces from harmful development.
14	Basingstoke Canal Conservation Area	The policy refines GEN 1 and GEN4 in relation to design principles so they can be specifically applied in the designated area. It also refines CON13 to reflect the special features of this particular Conservation Area and is consistent with CON10 that establishes some specific development principles for the Canal.
15	Residential Gardens	Garden land is an important characteristic of the Fleet townscape and is an acknowledged green infrastructure asset in urban areas (HLPSS para 384). Policy 15 establishes criteria to resist the inappropriate development of residential gardens in part by seeking biodiversity enhancements in line with the principles set out in CON 4 and in the absence of a specific policy in the development plan or emerging plan.
16	North Fleet Conservation Area	Policy 16 also refines GEN 1 and GEN4 in relation to design principles so they can be specifically applied in the designated area. It adds detail to CON13 to reflect the special features of this particular Conservation Area. It is also consistent with CON8 that establishes specific development principles in relation to the retention of trees and hedgerows and URB 18 in respect of residential densities
17	Thames Basin Heath SPA Mitigation	This policy which accords with policy NRM6 of the development plan and has been retained following the conclusions of the original SEA/HRA screening determination and the recommendations of Hart District Council. Following submission however, it may be adjudged to be unnecessary and as a strategic matter dealt with through CON1 and if adopted through the provisions of Policy NBE4 of the HLPSS.

	<b>Transport and Public Realm Policies</b>	
18	Cycling Network	The policy is consistent with T 10 in identifying a cycle network to contribute to the cycleway strategy for Hart.
19	Residential Parking	Policy 19 is consistent with Policies GEN 1 and T14 (Transport and Development) and reaffirms the standards required of planning applications for providing adequate, safe residential car parking.

## 6. COMPATABILITY WITH EU LEGISLATIONS

6.1 As noted in Section 4 above the District Council provided a screening opinion (dated 26 April 2018) which concluded that the Fleet Neighbourhood Plan will not have significant effects in relation to any of the criteria set out in Schedule 1 of the SEA Regulations and therefore does not need to be subject to a SEA Report.

6.2 The Neighbourhood Plan area is in proximity to the Thames Basin Heath Special Protection Area (TBHSPA). The District Council also screened for a Habitats Regulations Assessment (HRA) to ensure that the Plan would avoid significant adverse effects on the integrity of this internationally important nature conservation site. The District Council concluded that no likely significant effects are likely to occur with regards to the integrity of any European sites and a full HRA is not required.

6.3 Following the 'People over Wind' judgement the District Council were asked to review the conclusions of their earlier opinion in the light of the judgement. A further statement was issued in November 2018 and is available in the neighbourhood plan evidence library. The Statement concluded as follows:

*"The Habitats Regulations Assessment Screening dated April 2018 remains appropriate and no changes are considered necessary in light of the People Over Wind judgement."*

6.4 The Submission Plan is considered to comply with the new provisions of the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018, enacted on the 28<sup>th</sup> December 2018.

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