

Tetsworth Neighbourhood Development Plan 2041

Basic Conditions Statement



Prepared March 2025

Office Address: The Office, Merriscourt, Chipping Norton, Oxfordshire OX7 6QX
Registered address: 5th Floor 30-34 Fournival Street London EC4A 1JQ
Company Number: 7778989 (RCOH Ltd)

TETSWORTH NEIGHBOURHOOD PLAN

BASIC CONDITIONS STATEMENT

MARCH 2025

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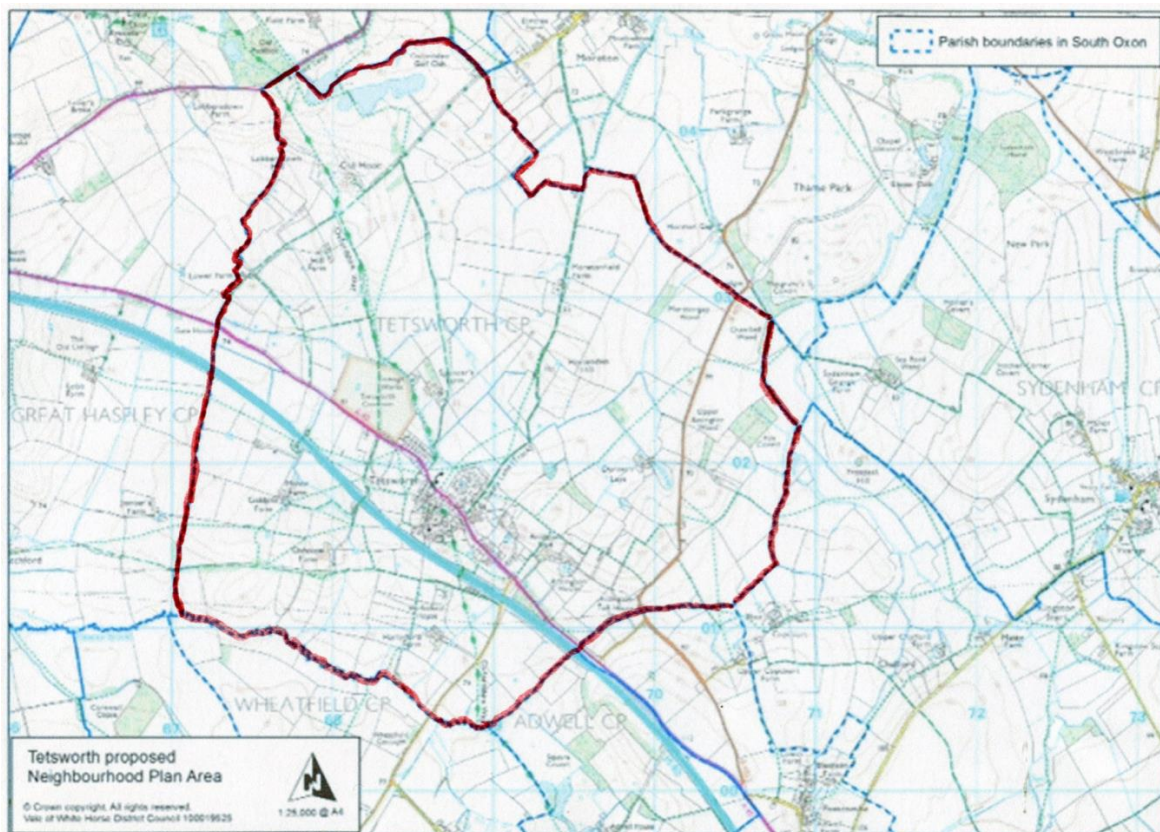
1.INTRODUCTION

The Neighbourhood Plan

1.1 This Statement has been prepared by ONH on behalf of Tetsworth Parish Council ("the Parish Council") to accompany its submission of the Modified Tetsworth Neighbourhood Plan ("the Modified Plan") to the local planning authority, South Oxfordshire District Council ("the District Council"), under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 ("the Regulations").

1.2 The Tetsworth Neighbourhood Plan ("the Made Plan") was made by the District Council in May 2021. The Modified Plan has been prepared by the Parish Council, the 'Qualifying Body', for the Neighbourhood Area ("the Area"), which coincides with the boundary of the Parish of Tetsworth shown on Plan A below. The District Council designated the Area on 1 June 2017 and this remains the same for the Modified Plan.

1.3 ONH has provided the professional planning advice and support to the Parish Council throughout the original and modified plan projects, alongside occasional help from officers of the District Council.



Plan A: Tetsworth Parish and Designated Neighbourhood Area

1.4 The Modified Plan contains 14 land use policies, which are defined on the Policies Map where they apply to a specific part of the Area. The policies described in the Modified Plan relate to the development and use of land in the designated Area. They do not relate to 'excluded development', as defined by the Regulations. The plan period of the Neighbourhood Plan is from April 2025 to March 2041.

1.5 The Modified Plan has deliberately avoided containing 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 allocations or other proposals and of development management matters that seek to refine and/or update existing policies.

The Basic Conditions

1.6 The statement addresses each of the four 'Basic Conditions', which are relevant to this plan, 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.

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

- A. 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;
- D. The making of the Neighbourhood Development Plan contributes to the achievement of sustainable development;
- E. 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); and
- F. The making of the Neighbourhood Development Plan does not breach, and is otherwise compatible with EU-derived obligations.

1.8 It is noted that the Levelling Up & Regeneration Act 2023 has made provision for Condition E to be amended by replacing the current requirement with a narrower condition in respect of not undermining the housing site allocation provisions in an adopted Local Plan. However, at the time of the expected examination of the Neighbourhood Plan, the regulations enabling that part of the Act have not been made.

2.BACKGROUND

2.1 The decision to proceed with a review of the Made Plan was made by the Parish Council in summer 2024. The decision of the District Council and Vale of White Horse District Council to collaborate in the development of a new Joint Local Plan, approved as Joint Local Plan 2041 (JLP2041), accelerated the Parish Council's timescale to review the Made Plan and maintain consistency with higher level planning policy.

2.2 The Parish Council has consulted the local community over the duration 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 adopted Local Plan and JLP2041.

3. CONDITION (A): REGARD TO NATIONAL PLANNING POLICY

3.1 The Modified Plan has been prepared with full regard to national policies as set out in the National Planning Policy Framework (NPPF) and is mindful of the PPG in respect of formulating Neighbourhood Plans. In overall terms, there are four NPPF paragraphs that provide general guidance on neighbourhood planning, to which the Neighbourhood Plan has directly responded:

General Paragraphs

3.2 The Parish Council believes the Neighbourhood Plan “support(s) the delivery of strategic policies contained in local plans ... and ... shape(s) and direct(s) development that is outside of these strategic policies” (§13). It considers the Neighbourhood Plan contains only non-strategic policy proposals or proposals that refine strategic policy to fit the circumstances of the Area without undermining the purpose and intent of those strategic policies (§18). It considers that the Neighbourhood Plan sets out more “detailed policies for specific areas” including “the provision of infrastructure and community facilities at a local level, establishing design principles, conserving and enhancing the natural and historic environment and setting out other development management policies” (§29).

3.3 The Parish Council considers that its Modified Plan has provided the community with the power to develop a shared vision for the Area that will shape, direct and help to deliver sustainable development, albeit in a modest way, by influencing local planning decisions as part of the statutory development plan. The Modified Plan contains no site allocation proposals nor any other policies that will result in less development than set out in the strategic policies for the area (as proposed in the Local Plan Review) (§30). In this regard, the NPPF provisions of meeting local housing needs (as per §69/§70) are therefore not relevant to this Neighbourhood Plan.

Specific Paragraphs

3.4 Each policy engages one or more specific paragraphs of the NPPF. Those that are considered to be of the most relevance and substance are identified in Table A below.

Table A: Neighbourhood Plan & NPPF Conformity Summary

Policy No.	Policy Title	Commentary
TET1	Tetsworth Settlement Boundary	This policy is consistent with §16(d) in bringing clarity to the definition of 'built up area' for applicants, community and planning authority.
TET2	Housing Development within the Village Settlement Boundary	This policy is consistent with §73 and §74 in promoting the development of a good mix of sites and for Small and Medium Enterprise housebuilders to deliver new homes and in supporting the development of windfall sites, giving particular consideration to the opportunities for allocating small and medium-sized sites suitable for housing in the village.
TET3	Housing Development in the Surrounding Countryside	This policy is consistent with §84 and §187 in allowing for the development of isolated homes in the countryside and supporting opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs but recognising the intrinsic character and beauty of the countryside.
TET4	Sustainable and High-Quality Housing Design	This policy is consistent with §132 and §135 in identifying the special qualities of each area and explaining how this should be reflected in development and in ensuring that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history.
TET5	Community, Commercial and Utility Development within the Settlement Boundary	This policy is consistent with §88 in enabling the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed, new buildings, and the development and diversification of agricultural and other land-based rural businesses.
TET6	Commercial Development in the Surrounding Countryside	This policy is consistent with §89 in recognising that some sites may have to be found adjacent to or beyond existing settlements to meet local business and community needs in this rural Parish including locations that are not well served by public transport, but working in association with other policies to ensure that development is sensitive to its surroundings.
TET7	Renewable Energy Generation Development	This policy is consistent with §165 in helping increase the use and supply of renewable energy with a positive strategy that seeks to realise the potential for suitable development, while ensuring that cumulative landscape and visual impacts are taken into account.
TET8	Key Views	This policy is consistent with §132 and §187 in identifying the special qualities of the Parish and explaining

		how this should be reflected in development, and in protecting and enhancing valued landscapes.
TET9	Conserving and Enhancing Local Heritage Assets	This policy is consistent with published Historic England guidance on identifying non-designated heritage assets and the policy wording matches that of §216.
TET10	Landmark Buildings	This policy is consistent with §98 and §132 in planning positively for the provision and use of community facilities to ensure that established facilities and services are able to develop and modernise, and are retained for the benefit of the community, and in identifying the special qualities of each area and explaining how this should be reflected in development.
TET11	Common Land and Green and Public Open Spaces	This policy is consistent with §104 in seeking to protect cherished public open spaces of which one is considered to meet the tests of §107 as a Local Green Space.
TET12	Dark Skies and Light Pollution	This policy is consistent with §198 in seeking to limit the impact of light pollution from artificial light on local amenity and the intrinsically dark landscape of this relatively remote part of the county.
TET13	Biodiversity and the Natural Environment	This policy is consistent with §192 in seeking to safeguard components of local wildlife-rich habitats and wider ecological networks and locally designated sites of importance for biodiversity in the Parish.
TET14	Road Safety and Residential Parking	This policy is consistent with §109 in seeking road safety to be considered from the earliest stages of plan-making to ensure patterns of movement and parking are integral to the design of schemes, and contribute to making high quality places. It is also consistent with §112 that takes into account the weak availability of and opportunities for public transport and therefore higher local car ownership levels in this relatively remote rural area.

4. CONDITION (D): CONTRIBUTING TO ACHIEVING SUSTAINABLE DEVELOPMENT

4.1 The District Council has provided a screening opinion which has determined that a Strategic Environmental Assessment (SEA) is not required of the Modified Plan under the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended). Its screening opinion was issued on 26 June 2025 following a consultation period with the statutory bodies, as per those Regulations.

4.2 As there is no legal requirement for Neighbourhood Plans to have a Sustainability Appraisal, the basic condition requiring a qualifying body to demonstrate how its plan will contribute to the achievement of sustainable development has been met as set out in Table B below. It does so by identifying the potential of each policy to lead to a positive (green), neutral (yellow) or adverse (red) effect, taking into account the proposed mitigation measures.

Table B: Neighbourhood Plan & Sustainable Development

Policy		Social	Economic	Environmental	Commentary
TET1	Tetsworth Settlement Boundary				The policy is likely to have positive social and environmental effects in containing the growth of the village to maintain its rural character and loss of countryside but also to enable the delivery of new homes in the village as brownfield opportunities arise.
TET2	Housing Development within the Village Settlement Boundary				The policy is likely to have a positive social effect by enabling the delivery of new homes in the village as brownfield opportunities arise.
TET3	Housing Development in the Surrounding Countryside				The policy is likely to have a positive social and environmental effects in protecting the countryside from harmful housing development.
TET4	Sustainable and High-Quality Housing Design				The policy is likely to have a positive social effect in maintaining high design standards to enhance the village character and amenity.
TET5	Community, Commercial and Utility Development within the Settlement Boundary				The policy is likely to have a positive economic effect in encouraging new opportunities for small businesses to locate and grow within the village.
TET6	Commercial Development in the Surrounding Countryside				The policy is likely to have a positive economic effect in encouraging new opportunities for small businesses that are suited to countryside locations in the Parish.
TET7	Renewable Energy Generation Development				The policy is likely to have a positive environmental effect in encouraging small scale renewable energy schemes to contribute to mitigating climate change.
TET8	Key Views				

					The policy is likely to have positive social and environmental effects in protecting key views to maintain the rural and historic character of the village and Parish.
TET9	Conserving and Enhancing Local Heritage Assets				The policy is likely to have positive social and environmental effects in conserving local heritage assets for the enjoyment of the local community.
TET10	Landmark Buildings				The policy is likely to have positive social and environmental effects in protecting and encouraging the improvement of prominent and valued buildings.
TET11	Common Land and Green and Public Open Spaces				The policy is likely to have positive social and environmental effects in protecting a range of public open spaces from harmful development.
TET12	Dark Skies and Light Pollution				The policy is likely to have positive social and environmental effects in maintaining the remote rural character of the Parish for the benefit of the local community.
TET13	Biodiversity and the Natural Environment				The policy is likely to have a positive environmental effect in protecting the biodiversity value of the Parish.
TET14	Road Safety and Residential Parking				The policy is likely to have a positive social effect in ensuring proposals do not harm road safety and do not create parking problems for local residents.

5. CONDITION (E): GENERAL CONFORMITY WITH THE STRATEGIC POLICIES OF THE DEVELOPMENT PLAN

5.1 The Modified Plan has been prepared to ensure its general conformity with the development plan for the District, that is the South Oxfordshire Local Plan 2011-2035 adopted in December 2020.

5.2 In accordance with Planning Practice Guidance (§ 41-009), this Statement does not seek to demonstrate general conformity with the policies of any emerging Development Plan Documents, i.e. the JLP2041. However, it is noted that the evidence base for JLP2041 is important to informing the Modified Plan and conformity with emerging policies is crucial for the long-term success of the Plan given that in the event of any future conflict the most recent policy will take precedent.

5.3 The JLP2041 continues to define the village towards the bottom of the settlement hierarchy of the District, albeit renaming the Smaller Village designation of the Local Plan as 'Tier 4'. The respective policy provisions for guiding the scale of housing growth have not changed and the District Council has confirmed to the Parish Council during the review process that its indicative housing figure is zero. This takes into account the recent delivery of new housing schemes in the village and its Tier 4 status in a relatively remote location in the District. It is noted that the JLP2041 contains no strategic proposals in the vicinity of the Parish.

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

Table C: Neighbourhood Plan & Development Plan Conformity Summary		
No.	Policy Title & Refs	Commentary
TET1	Tetsworth Settlement Boundary	This policy device is not used by the SOLP but has been accepted by the District Council as a helpful way of defining what "within ... Smaller Villages" of its Policy H8 and H16 means by showing the boundary on the Policies Map. It will also be consistent with JLP2041 Policy SP2 and its reference to "built up areas" for Tier 4 Settlements like Tetsworth.
TET2	Housing Development within the Village Settlement Boundary	This policy is consistent with the approach taken by SOLP policies H8 and H16, and by JLP2041 Policy SP2 in managing proposals for housing development within the TET1 boundary.
TET3	Housing Development in the Surrounding Countryside	This policy is consistent with the approach taken by SOLP Policy ENV1(2) and by JLP2041 Policy SP2 in managing proposals for housing development outside the TET1 boundary.
TET4	Sustainable and High-Quality Housing Design	This policy is consistent with the approach taken by SOLP Policies DES1, DES6 and DES8 and by JLP2041 Policies CE1, DE1, DE2 and DE5 in the requirements for high quality and sustainable housing design and protecting residential amenity.
TET5	Community, Commercial and Utility Development within the Settlement Boundary	This policy is consistent with the approach taken by SOLP Policies EMP2, EMP3(3) and EMP10 and by JLP2041 Policies JT1 and JT5 in encouraging economic development suited to a rural location within the TET1 boundary.
TET6	Commercial Development in the Surrounding Countryside	This policy is consistent with the approach taken by SOLP Policy EMP10 and by JLP2041 Policy JT5 in encouraging economic development suited to a countryside location outside the TET1 boundary in the countryside.
TET7	Renewable Energy Generation Development	This policy is consistent with the approach taken by SOLP Policy DES9 and by JLP2041 Policy CE5 to encourage proposals for the type of small scale renewable energy generation that is suited to a Parish that has already accommodated such projects but that are capped to ensure their cumulative effects avoid harming its character.
TET8	Key Views	This policy is consistent with the approach taken by SOLP Policies ENV2(8) and DES2 and by JLP2041 Policy DE2 in identifying a small number of key views within the Parish that each contribute to enhancing local character.

TET9	Conserving and Enhancing Local Heritage Assets	This policy is consistent with the approach taken by SOLP Policy ENV6 and by JLP2041 Policy NH8 in identifying 'non-designated heritage assets' for suitable conservation.
TET10	Landmark Buildings	This policy is consistent with the approach taken by SOLP Policies DES2 and CF1 and by JLP2041 Policies DE2 and HP2 in identifying a small number of buildings in the Parish that are both prominent in helping define the local character of the Parish and have social value.
TET11	Common Land and Green and Public Open Spaces	This policy is consistent with the approach taken by SOLP Policy CF4 and by JLP2041 Policy HP4 in identifying different types of public open space in the Parish for protection from harmful development.
TET12	Dark Skies and Light Pollution	This policy is consistent with the approach taken by SOLP Policy ENV1(2) and by JLP2041 Policy CE11 in requiring new development to follow the Dark Skies principles to maintain the rural character of the Parish.
TET13	Biodiversity and the Natural Environment	This policy is consistent with the approach taken by SOLP Policies ENV3 and ENV5 and by JLP2041 Policies NH1 and NH2 in emphasising the importance of the biodiversity value of the Parish and discouraging its erosion.
TET14	Road Safety and Residential Parking	This policy is consistent with the approach taken by SOLP Policy TRANS5 and by JLP2041 Policy IN2(2) in requiring proposals to maintain road safety and to make adequate provision for car parking.

6. CONDITION (F): COMPATABILITY WITH EU-DERIVED OBLIGATIONS

6.1 The District Council provided a screening opinion in [DATE] that has determined that a Strategic Environmental Assessment, in accordance with Regulation 9 of the Environmental Assessments of Plans and Programmes Regulations 2004 (as amended), is not required, following consultation with statutory bodies as per those Regulations. A copy of the final screening opinion is published separately.

6.2 The District Council's Habitats Regulations Screening Assessment concludes that the making of the Modified Plan is not likely to have a significant effect on a European site (as defined in the 2017 Regulations) either alone or in combination with other plans or projects.

6.3 The Parish Council has been mindful of the fundamental rights and freedoms guaranteed under the European Convention on Human Rights in process of preparing the Modified Plan and considers that it complies with the Human Rights Act. The Plan has been subject to extensive engagement with those people local to the area who could be affected by its policies and their views have been taken into account in finalising the Plan.

6.4 In respect of Directive 2008/98/EC – the Waste Framework Directive – the Modified Plan does not include any policies in relation to the management of waste, nor does the area include a waste management site. On that basis, this Directive is not considered relevant to the Plan and therefore could not be breached.

6.5 In respect of Directive 2008/50/EC – the Air Quality Directive – the Modified Plan includes some policies relevant to Air Quality. These policies are tested in accordance with national policy and guidance relevant to their content. The policies are not considered to breach the requirements of the Air Quality Directive as they comprise small-scale interventions and do not negate from the framework for measurement and improvement of air quality set in the Directive.

7. SUMMARY

7.1 In Section 3 it is considered that each of the policies have had full regard to national policy, with no incidence of two or more national policies being in tension, nor of the Parish Council having to strike a balance between them. As a result, the Modified Plan, as a whole, meets Condition (a).

7.2 In Section 4 it is considered that each of the policies either contributes to the achievement of sustainable development or is neutral in its impact on one of more of the three sustainability themes. As a result, the Modified Plan, as a whole, meets Condition (d).

7.3 In Section 5 it is considered that all of the policies are in general conformity with the strategic policies of the adopted and emerging development plan, with no incidence of two or more strategic policies being in tension, nor of the Parish Council having to strike a balance between them. As a result, the Modified Plan, as a whole, meets Condition (e).

7.4 In Section 6 it is considered the making of the Neighbourhood Plan accords with all EU-derived environmental and other obligations. As a result, the Modified Plan, as a whole, meets Condition (e).