

Table of modifications in response to provisions within the Levelling Up and Regeneration Act 2023 (LURA) commenced on 25 March 2026. Please note that the page numbers in this document refer to the page numbers in the updated documents.

Basic Conditions Statement Section	Change	Reason/Justification for Change
Page 2 – Contents	Update page numbers	Consequential amendment
Page 2 – Contents	Replace: “CONFORMITY WITH STRATEGIC POLICIES” With: “RELATIONSHIP WITH THE DEVELOPMENT PLAN”	Replacement of Basic Condition e) in paragraph 8(2) OF Schedule 4B to TCPA 1990
Page 7 – Legal Requirements	Insert: <i>“Is the Eye and Dunsden Neighbourhood Plan designed to secure that the development and use of land in the neighbourhood area contributes to the mitigation of, and adaptation to climate change?”</i> <i>The Eye and Dunsden Neighbourhood Plan contains policies which contribute towards the mitigation of climate change by directing development to sustainable locations (ED-H1) and by supporting sustainable transport (ED-CI1) and energy-efficient design (ED-DH1). The Eye and Dunsden Neighbourhood Plan also contains policies which contribute towards the</i>	Response to new legal requirement in Section 38B of PCPA 2004

	<p><i>adaptation of climate change through the management of flood risk (ED-FR1), the protection and enhancement of green infrastructure and biodiversity (ED-BGI1, ED-BGI2, ED-BGI3, ED-BGI4), and by encouraging development which is designed for future climate conditions (ED-DH1)."</i></p>	
<p>Page 7 – Legal Requirements</p>	<p>Insert:</p> <p><i>"Does the Eye and Dunsden Neighbourhood Plan take into account the Local Nature Recovery Strategy?</i></p> <p><i>The Eye and Dunsden Neighbourhood Plan took the Oxfordshire Local Nature Recovery Strategy into account during the development of the Nature Recovery Network map (Figures 26 and 27 in the Plan) for Eye and Dunsden which supports the Biodiversity policy (ED-BGI1) within the Plan. The Plan responds to areas identified as important for biodiversity by including policies which seek to protect designated and non-designated wildlife sites and require development to deliver a biodiversity net gain (ED-BGI1)."</i></p>	<p>Response to new legal requirement in Section 38B of PCPA 2004</p>
<p>Page 8 – Legal Requirements</p>	<p>Replace:</p> <p><i>"(c) the making of the neighbourhood plan is in general conformity with the strategic policies contained in</i></p>	<p>Replacement of Basic Condition e) in paragraph 8(2) OF Schedule 4B to TCPA 1990</p>

	<p><i>the development plan for the area of the authority (in this case South Oxfordshire District Council)</i></p> <p>With:</p> <p><i>“(c) the making of the neighbourhood plan would not have the effect of preventing development from taking place which is proposed in the development plan for the area of the authority (or any part of that area), and if it took place, would provide housing.”</i></p>	
Chapter 5 – Page 17	<p>Replace:</p> <p><i>“CONFORMITY WITH STRATEGIC POLICIES”</i></p> <p>With:</p> <p><i>“RELATIONSHIP WITH THE DEVELOPMENT PLAN”</i></p>	Replacement of Basic Condition e) in paragraph 8(2) OF Schedule 4B to TCPA 1990
Chapter 5 – Page 17	<p>Edit:</p> <p><i>“The policies of the Eye and Dunsden Neighbourhood Plan can be seen in the table below. Each Neighbourhood Plan policy is accompanied by a statement explaining how it has been prepared having regard to the describing the ‘general conformity’ with strategic policies of the Development Plan, and how it would not have the effect of preventing development proposed in the Development Plan from taking place where that development would provide housing.”</i></p>	Replacement of Basic Condition e) in paragraph 8(2) OF Schedule 4B to TCPA 1990

Chapter 5 – Page 17	<p>Replace:</p> <p><i>“The Development Plan strategic policies that have not been included in the table below are not considered to be directly relevant to the Eye and Dunsden Neighbourhood Plan.”</i></p> <p>With:</p> <p>“As the Development Plan does not allocate specific sites for development within the neighbourhood area, this section demonstrates that the Neighbourhood Plan policies are aligned with the policies within the Local Plan that support appropriate housing development within the Eye and Dunsden neighbourhood area and would not prevent this development from taking place.”</p>	Replacement of Basic Condition e) in paragraph 8(2) OF Schedule 4B to TCPA 1990
Chapter 5 – Page 17	<p>Edit:</p> <p>“Comment on Conformity Relationship”</p>	Replacement of Basic Condition e) in paragraph 8(2) OF Schedule 4B to TCPA 1990
Policy ED-VL1 – Page 17	<p>Insert and edit:</p> <p><i>“This policy seeks to preserve the locally specific characteristics of the highlighted features, as described in Appendix I and Appendix II.</i></p> <p>Policy ENV1 of the Local Plan sets out the protection afforded to the landscape of the District. Policy ED-VL1 builds on this by identifying the valued landscapes within</p>	Replacement of Basic Condition e) in paragraph 8(2) OF Schedule 4B to TCPA 1990

	<p><i>the neighbourhood area, in doing so adding local specificity and detail to protections already afforded to landscape within the Development Plan. As such, this policy would not prevent development proposed in the Development Plan which would provide housing from taking place.</i></p> <p><i>This approach is considered to be in general conformity with</i> <i>has had regard to the approach that is set out in SOLP policies STRAT1, ENV1, ENV4, ENV5, ENV11, EP5 and DES2.</i></p>	
<p>Policy ED-VL2 – Page 17</p>	<p>Insert and edit:</p> <p><i>“This policy identifies locally important views and seeks to ensure development within the setting of these areas responds in a positive manner.</i></p> <p><i>Policy ENV1 of the Local Plan sets out that development will only be permitted where it protects and, where possible enhances, important views and visually sensitive skylines. Policy ED-VL2 builds on this by identifying the location of these important views within the neighbourhood area. As such, this policy would not prevent development proposed in the Development Plan which would provide housing from taking place.</i></p>	<p>Replacement of Basic Condition e) in paragraph 8(2) OF Schedule 4B to TCPA 1990</p>

	<p><i>This reflects the policy approach in policies STRAT1 and ENV1 of the SOLP, and therefore is considered to be in general conformity with the above policies.</i></p>	
<p>Policy ED-VL3 – Page 18</p>	<p>Insert and edit:</p> <p><i>“This policy seeks to manage development in land that was previously subject of mineral extraction and has now been restored. It also supports the restoration beyond what has been agreed in any previous applications by setting out a list of criteria with the aim to enhance the local biodiversity and character of the Plan area.</i></p> <p><i>This policy seeks to manage development proposals for nature conservation and/or recreational uses and will therefore not have the impact of preventing housing development identified in the Development Plan from taking place.</i></p> <p>As a consequence, it is considered that policy ED-VL3 is in conformity <i>This policy has been produced with regard to with SOLP STRAT1, ENV1, ENV4, ENV5, ENV11, EP4 and EP5.</i>”</p>	<p>Replacement of Basic Condition e) in paragraph 8(2) OF Schedule 4B to TCPA 1990</p>
<p>Policy ED-VL4 – Page 18</p>	<p>Insert and edit:</p> <p><i>“This policy identifies a series of important open gaps, which define the character of the Plan</i></p>	<p>Replacement of Basic Condition e) in paragraph 8(2) OF Schedule 4B to TCPA 1990</p>

	<p><i>area and setting of its surrounding settlements.</i></p> <p><i>The principles highlighted in Appendix II were used to inform this policy, which has the objective to preserve the unique setting to each settlement in the Plan area.</i></p> <p><i>Policy ENV1 of the Local Plan sets out that development will only be permitted where it protects and, where possible, enhances, features that contribute to the nature and quality of South Oxfordshire’s landscapes, in particular the landscape setting of settlements. Policy ED-VL4 builds on this by identifying specific areas where development proposals should demonstrate how they will preserve or enhance the landscape character of the parish. As such, this policy would not prevent development proposed in the Development Plan which would provide housing from taking place.</i></p> <p><i>This is in alignment considered to be in general conformity with SOLP STRAT1, H1, ENV1, ENV5, DES1 and DES2.”</i></p>	
<p>Policy ED-BG11 – Page 18</p>	<p><i>“The Plan area contains a wide variety of non-statutory designated sites, as well as numerous priority habitats. This policy seeks to identify and</i></p>	<p>Replacement of Basic Condition e) in paragraph 8(2) OF Schedule 4B to TCPA 1990</p>

protect these from any unacceptable harm.

This policy also suggests that new development should deliver a biodiversity net gain of at least 20%, which is appropriately evidenced and therefore is considered to be justified.

Policy ENV3 of the Local Plan sets out that development proposals which conserve, restore and enhance biodiversity in the District will be supported. This policy also sets out that development proposals should be supported by evidence to demonstrate a biodiversity net gain using a recognised biodiversity account metric.

Policy ED-BGI1 builds on this policy by identifying specific local sites which should be maintained and enhanced, and by setting out that development proposals should seek to deliver a Biodiversity Net Gain of at least 20%. As such, this policy would not prevent development proposed in the Development Plan which would provide housing from taking place.

It is considered that this approach reflects the objectives that are set out in SOLP STRAT1, H1, ENV1, ENV5, DES1 and DES2.”

<p>Policy ED-BGI2 – Page 19</p>	<p>Insert and edit:</p> <p><i>“Trees and hedgerows are considered a significant local asset in the Plan area and this policy seeks to protect these features from development that would have an unacceptable harm to them.</i></p> <p><i>This policy also provide additional information on proposals for the replacement or the planting of new trees and hedgerows.</i></p> <p><i>Policy ENV1 of the Local Plan sets out that development will only be permitted where it protects and, where possible, enhances, features that contribute to the nature and quality of South Oxfordshire’s landscapes, in particular trees (including individual trees, groups of trees and woodlands), hedgerows and field boundaries. This policy builds on this by setting out how any removed trees or hedgerows should be replaced. As such, this policy would not prevent development proposed in the Development Plan which would provide housing from taking place.</i></p> <p><i>This policy is aligned it is accordingly considered that this policy is in general conformity with SOLD STRAT1, ENV1, ENV3, ENV4, ENV5 and DES2.”</i></p>	<p>Replacement of Basic Condition e) in paragraph 8(2) OF Schedule 4B to TCPA 1990</p>
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<p>Policy ED-BGI3 – Page 19</p>	<p>Insert and edit:</p> <p><i>“This policy seeks to maintain and enhance the uses and natural features along the riverside to preserve the unique role of the restored lakes in the Plan area.</i></p> <p><i>This policy seeks to manage development proposals for nature conservation and/or recreational uses and will therefore not have the impact of preventing housing development identified in the Development Plan from taking place.</i></p> <p><i>This approach is considered to be in general conformity aligned with SOLP STRAT1, ENV1, ENV3, ENV4, ENV5 and DES2.”</i></p>	<p>Replacement of Basic Condition e) in paragraph 8(2) OF Schedule 4B to TCPA 1990</p>
<p>Policy ED-BGI4 – Page 19</p>	<p>Insert and edit:</p> <p><i>“The policy reflects national policies and lists a number of green spaces that are proposed for designation, due to their compliance with the criteria set out in the NPPF and the benefits they provide to the local community.</i></p> <p><i>Policy STRAT1 of the Local Plan sets out that proposals for development within South Oxfordshire should be consistent with the overall strategy of:</i></p> <ul style="list-style-type: none"> <i>• supporting Smaller and Other villages by allowing for limited</i> 	<p>Replacement of Basic Condition e) in paragraph 8(2) OF Schedule 4B to TCPA 1990</p>

amounts of housing and employment to help secure the provision and retention of services;

- protecting and enhancing the countryside... by ensuring that outside of the towns and villages any change relates to very specific needs such as those of the agricultural industry or enhancement of the environment; and**
- contributing to tackling climate change.**

Policy ED-BG14 builds on this by identifying specific green areas of particular importance which the community wishes to protect through the mechanisms for designating Local Green Spaces set out in the NPPF. The policy only applies to the identified areas which are demonstrably special and does not prevent development from coming forward on other locations within the plan area, is in alignment with the policies in the development plan, and will not have the effect of preventing development proposed in the Development Plan which would provide housing from taking place.

~~It is accordingly considered that this policy is in conformity with~~
This approach has regard to

	<p><i>the policies of the SOLP that are set out in the column to the left.”</i></p>	
<p>Policy ED-FR1 – Page 20</p>	<p><i>Insert and edit:</i></p> <p><i>“This policy seeks to redirect development away from those areas that have been identified, as shown on the detailed maps in the NP, to be liable of flooding. It also provides additional information in connection with the dischargement of surface water.</i></p> <p><i>Policy EP4 sets out that development should be directed to areas with the lowest probability of flooding and that all new developments should address the effective management of all sources of flood risk. Policy ED-FR1 builds on this by identifying the specific areas of high risk of surface water flooding and by encouraging the use of schemes to reduce surface water run-off and the incorporation of Sustainable Drainage Systems (SuDS). As such, this policy would not prevent development proposed in the Development Plan which would provide housing from taking place.</i></p> <p><i>This policy has regard to This policy is considered essential, as it lists those affected areas and provides local context to SOLP EP4. Therefore, it is considered to be in general conformity with SOLP STRAT1 and EP4.</i></p>	<p>Replacement of Basic Condition e) in paragraph 8(2) OF Schedule 4B to TCPA 1990</p>

<p>Policy ED-DH1 – Page 20</p>	<p><i>Insert and edit:</i></p> <p><i>“This policy draws upon the evidence that are set out in Appendix I and seeks to create a framework, which will preserve and improve the locally specific features that positively enhance the individual character of each settlement and countryside.</i></p> <p><i>Policy DES1 of the Local Plan sets out that all new development must be of a high quality design. Policy ED-DH1 builds on this by establishing what constitutes appropriate design within the neighbourhood area, informed by an analysis of the existing character of the parish. As such, this policy would not prevent development proposed in the Development Plan which would provide housing from taking place.</i></p> <p><i>This policy is aligned it is accordingly considered that this policy is in general conformity with SOLP STRAT1, ENV1, ENV3, ENV6, ENV7, ENV8, DES1, DES2, DES7, DES8, DES9 and INF4.</i></p>	<p>Replacement of Basic Condition e) in paragraph 8(2) OF Schedule 4B to TCPA 1990</p>
<p>Policy ED-DH2 – Page 21</p>	<p><i>Insert and edit:</i></p> <p><i>“The policy draws from Appendix I and Appendix III and Appendix XI and sets out what will be required from development proposals to be considered compatible with the unique features, characteristics or</i></p>	<p>Replacement of Basic Condition e) in paragraph 8(2) OF Schedule 4B to TCPA 1990</p>

	<p><i>elements for each designated and non-designated heritage asset.</i></p> <p><i>Policy ENV6 of the Local Plan sets out that proposals for new development that may affect designated and non-designated heritage assets should take account of the desirability of sustaining and enhancing the significance of those assets and putting them to viable uses consistent with their conservation. It also sets out that proposals for new development should be sensitively designed and should not cause harm to the historic environment. Policy ED-DH2 builds on this by identifying a number of non-designated heritage assets within the Plan area. As such, this policy would not prevent development proposed in the Development Plan which would provide housing from taking place.</i></p> <p><i>This policy is aligned</i> <i>Consequently, it is considered that this policy is in general conformity with the strategic policies of the SOLP that are set out in the column to the left.”</i></p>	
<p>Policy ED-H1 – Page 21</p>	<p>Insert and edit:</p> <p><i>“The policy requires from new development proposals to demonstrate a thorough understanding of each local character area, as set out in Appendix I. It also seeks to</i></p>	<p>Replacement of Basic Condition e) in paragraph 8(2) OF Schedule 4B to TCPA 1990</p>

	<p><i>reinforce existing housing development plan policies by supporting housing development within the designated settlement boundaries, provided certain criteria are met. This is considered essential to ensure that the special character of each settlement in the Plan area is preserved.</i></p> <p><i>Policy H1 of the Local Plan sets out that infilling and brownfield development is appropriate within Smaller and Other villages. Policy ED-H1 builds on this by establishing a settlement boundary for each of the three settlements within the neighbourhood area, within which infilling and brownfield development would be appropriate, in alignment</i> <i>This policy is considered to be in general conformity with the strategic policies of the SOLP that are set out in the column to the left. As such, this policy would not prevent development proposed in the Development Plan which would provide housing from taking place.</i></p>	
<p>Policy ED-CI1 – Page 21</p>	<p>Insert and edit:</p> <p><i>“Policy ED-CI1 sets out a number of criteria that development proposals will need to meet in order to promote sustainable travel and to ensure that they will have no adverse impact on highway safety. The criteria of this policy also deal</i></p>	<p>Replacement of Basic Condition e) in paragraph 8(2) OF Schedule 4B to TCPA 1990</p>

	<p><i>with parking, accessibility and safety matters.</i></p> <p><i>Policy TRANS5 of the Local Plan sets out that development proposal will, where appropriate, provide for a safe and convenient access for all users of the highway network, provide safe and convenient routes for cyclists and pedestrians, both within the development and including links to rights of way and other off-site walking and cycling routes where relevant, and provide parking of vehicles in accordance with Oxfordshire County Council parking standards. Policy ED-CI1 builds on this by identifying specific areas of concern and introducing local design elements. As such, this policy would not prevent development proposed in the Development Plan which would provide housing from taking place.</i></p> <p><i>This policy is aligned This approach is considered to be in general conformity with SOLP STRAT1, TRANS2, TRANS5, ENV1 and ENV5.</i></p>	
<p>Policy ED-CI2 – Page 22</p>	<p>Insert and edit:</p> <p><i>“This policy identifies a number of lanes as “Quiet Lanes”. It sets out a number of requirements, which urge future development proposals to meet in order to</i></p>	<p>Replacement of Basic Condition e) in paragraph 8(2) OF Schedule 4B to TCPA 1990</p>

preserve the quiet nature and rural character of these lanes.

Policy TRANS5 of the Local Plan sets out that development proposal will, where appropriate, provide for a safe and convenient access for all users of the highway network and be served by an adequate road network which can accommodate traffic without creating traffic hazards or damage to the environment. Additionally, Policy ENV1 of the Local Plan sets out that development will only be permitted where it protects and, where possible enhances, features that contribute to the nature and quality of South Oxfordshire's landscapes, in particular the landscape setting of settlements. Policy ED-CI2 builds on these policies by setting out that development proposals should preserve, and where practicable enhance, the rural nature and character of the identified quiet lanes. As such, this policy would not prevent development proposed in the Development Plan which would provide housing from taking place.

This policy approach reflects the objectives of SOLP STRAT1, TRANS2, TRANS5, ENV1 and ENV5.”

<p>Policy ED-CI3 – Page 22</p>	<p>Insert and edit:</p> <p><i>“This policy aims to encourage improvements to existing Public Rights of Way, which adjoin the Green and Blue Infrastructure that is identified in the Plan area, provided that they respect the local character of the Plan area.</i></p> <p><i>Policy TRANS5 of the Local Plan sets out that development proposal will, where appropriate, provide safe and convenient routes for cyclists and pedestrians, both within the development and including links to rights of way and other off-site walking and cycling routes where relevant. Policy ED-CI3 builds on this by identifying specific Green and Blue infrastructure networks that these routes should adjoin to. As such, this policy would not prevent development proposed in the Development Plan which would provide housing from taking place.</i></p> <p><i>This policy is aligned This approach is considered to be in general conformity with SOLP STRAT1, TRANS2, TRANS5, ENV1 and ENV5.”</i></p>	<p>Replacement of Basic Condition e) in paragraph 8(2) OF Schedule 4B to TCPA 1990</p>
<p>Policy ED-CE1 – Page 23</p>	<p>Insert and edit:</p> <p><i>“This policy seeks the improvement, reuse and retention of existing community facilities within the Plan area and makes clear that development proposals for the loss of a</i></p>	<p>Replacement of Basic Condition e) in paragraph 8(2) OF Schedule 4B to TCPA 1990</p>

	<p><i>community facility will only be permitted if it can be demonstrate that the facility is no longer financily viable, or the asset is not valued by the community.</i></p> <p><i>This policy also draws from Appendix XIII, which identifies a number of local community facilities and encourages development proposals that will result in improving their overall quality.</i></p> <p><i>Policy CF1 of the Local Plan seeks to safeguard community facilities within the District, whilst Policy CF2 sets out support for new or extended community facilities. Policy ED-CE1 builds on this by identifying specific facilities within the neighbourhood area which should be safeguarded and supports new or extended community facilities. As such, this policy would not prevent development proposed in the Development Plan which would provide housing from taking place.</i></p> <p><i>This policy is considered to be in general conformity aligned with the strategic policies of the SOLP that are set out in the column to the left.”</i></p>	
<p>Policy ED-CE2 – Page 23</p>	<p>Insert and edit:</p> <p><i>“There are a number of small business that are scattered throughout the Plan area and this policy seeks to encourage</i></p>	<p>Replacement of Basic Condition e) in paragraph 8(2) OF Schedule 4B to TCPA 1990</p>

	<p><i>their improvement and the creation of new business opportunities in the whole of the Plan area, provided that development proposals can meet a specific list of criteria that will ensure that there will be no unacceptable harm to the rural environment, the historic environment or the local townscape.</i></p> <p><i>This policy also seeks to support proposals for the reuse or conversion of rural buildings, provided that they would not require extensive internal or external works.</i></p> <p><i>This policy seeks to manage development proposals for employment uses and will therefore not have the impact of preventing housing development identified in the Development Plan from taking place.</i></p> <p><i>This approach is aligned considered to be in general conformity with SOLP STRAT1, EMP1, EMP2, EMP3, EMP10, TRANS2, TRANS5, ENV1, ENV2, ENV6, ENV8, ENV12, DES1, DES6 and DES8.”</i></p>	
Chapter 6 – Page 27	<p>Insert:</p> <p><i>“The Plan has had regard to the updated Basic Condition relating to Environmental Outcome Reports. However, as the detailed requirements and framework for these reports have not yet been</i></p>	<p>Addition of Basic Condition fa) in paragraph 8(2) OF Schedule 4B to TCPA 1990</p>

	<p><i>established, it is not possible to assess the Plan’s compliance against this requirement. This Statement sets out how the Plan has not breached the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.”</i></p>	
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Neighbourhood Plan Section	Change	Reason/Justification for Change
Back of front cover	<p>Insert:</p> <p><i>“*This document has been modified following submission to update references to the Basic Conditions which were amended by the Government on the 25 March 2026.”</i></p>	Acknowledgement of modifications
Page 5 – Statutory Context - Basic Conditions	<p>Replace:</p> <p><i>“(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)”</i></p> <p>With:</p> <p><i>“(c) the making of the neighbourhood plan would not have the effect of preventing development from taking place which is proposed in the</i></p>	Replacement of Basic Condition e) in paragraph 8(2) OF Schedule 4B to TCPA 1990

	<p><i>development plan for the area of the authority (or any part of that area), and if it took place, would provide housing.”</i></p>	
<p>Page 9</p>	<p>Edit:</p> <p><i>“All of these policies tie back into the strategic and non-strategic policies of the development plan whilst also echoing the principles set out in the NPPF, thus ensuring that the basic conditions concerning the need to have regard to national policy, to contribute to the achievement of sustainable development and to not have the effect of preventing development from taking place which is proposed in the development plan for the area of the authority and if it took place, would provide housing be in general conformity with the strategic policies are all met. Further details on this specific matter are set out in the Basic Conditions Statement that accompanies the submission draft Neighbourhood Plan.”</i></p>	<p>Replacement of Basic Condition e) in paragraph 8(2) OF Schedule 4B to TCPA 1990</p>