
West Chiltington Neighbourhood Plan

Basic Conditions Statement

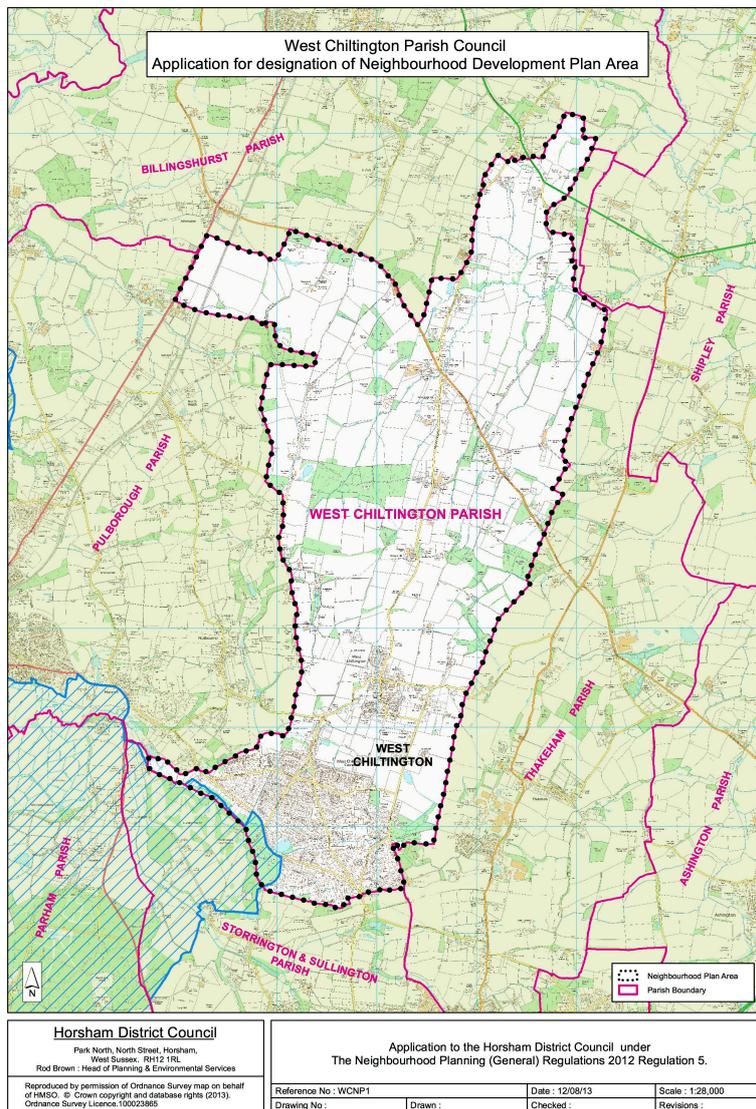


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1. Introduction

1.1 This Statement has been prepared by West Chilmington Parish Council (“the Parish Council”) to accompany its submission to the local planning authority, Horsham District Council (“HDC”), of the Neighbourhood Development Plan (“the Neighbourhood Plan”) under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (“the Regulations”).

1.2 The Neighbourhood Plan has been prepared by the Parish Council, a qualifying body, for the Neighbourhood Area covering the whole of the parish of West Chilmington, as designated by Horsham District Council and South Downs National Park Authority on the 24th February 2014. (see Plan A).



Plan A : WCNP Designated Area

1.3 The policies described in the Neighbourhood Plan relate to the development and use of land in the designated Neighbourhood Area. The plan period of the Neighbourhood Plan is from 2018 to 2031 and it does not contain policies relating to excluded development in accordance with the Regulations.

1.4 The Statement addresses each of the four 'basic conditions' required by 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 basic 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

2. Background

2.1 The Parish Council commenced preparation of the Neighbourhood Plan in 2014. The key drivers of that decision were:

- the encouragement of HDC to towns and parishes in its district to prepare Neighbourhood Plans
- a keenness of the Parish Council to manage local development

2.2 The Parish Council formed a Neighbourhood Plan Steering Group ("the Steering Group") comprising a number of Councillors and lay members.

2.3 The Steering Group was delegated authority by the Parish Council to make decisions on the Neighbourhood Plan as the project reached specific approval milestones such as:-

- the Draft Neighbourhood Plan;
- the Pre-Submission Neighbourhood Plan (and its Regulation 14 Schedule), and
- the Submission Neighbourhood Plan.

3. Conformity with National Planning Policy

3.1 The Neighbourhood Plan has been prepared with regard to national policies as set out in the Revised National Planning Policy Framework (NPPF) and the Parish Council (Steering Group) was mindful of the National Planning Practice Guidance (NPPG) in respect of formulating Neighbourhood Plans.

3.2 Compliance with the key objectives of the NPPF ensures that the Neighbourhood Plan promotes Sustainable Development.

3.3 The Neighbourhood Plan has regard to relevant sections within the NPPF in relation to:

1. Delivering a sufficient supply of homes
2. Building a strong, competitive economy
3. Ensuring the vitality of town centres
4. Promoting healthy and safe communities
5. Promoting sustainable transport
6. Supporting high quality communications
7. Making effective use of land
8. Achieving well-designed places
9. Protecting Green Belt land
10. Meeting the challenge of climate change, flooding and coastal change
11. Conserving and enhancing the natural environment
12. Conserving and enhancing the historic environment
13. Facilitating the sustainable use of minerals

At examination, the submitted WCNDP must demonstrate that it is consistent with the policies and intent of the NPPF. Once the Neighbourhood Plan is adopted it becomes part of the Horsham District Development Plan.

3.3.1 **Building a strong, competitive economy**

The Neighbourhood Plan sets out the following policies that aim to build a strong, competitive economy:

EE1 : Supporting existing employment and retail
EE2 : Employment land
EE3 : Local shopping facilities
EE5 : Sustainable Recreational and Tourism activities
EE6 : Rural Buildings
EE7 : Communications Infrastructure

These policies meet the NPPF's aims by supporting and seeking to promote existing businesses and allowing for additional new services. It further recognises the importance of good communications infrastructure to the sustainability of businesses.

3.3.3 **Supporting a prosperous rural economy**

The Neighbourhood Plan sets out the following policies that aim to support the rural economy.

EE1 : Supporting existing employment and retail
EE2 : Employment land
EE3 : Local shopping facilities
EE5 : Sustainable Recreational and Tourism activities
EE6 : Rural Buildings
EE7 : Communications infrastructure
LC4 : Protection of assets of community value

These policies meet the aims of the NPPF by seeking to support sustainable tourism, improving communication and by recognising the importance of key assets in maintaining the vitality of the Parish.

3.3.4 **Promoting sustainable transport**

The Neighbourhood Plan sets out the following policies that aim to promote sustainable transport.

GA1 : Promoting sustainable movement
GA2 : Footpath, bridleways and cycle path network

GA3 : Parking and new development

These policies meet the aims of the NPPF by seeking to ensure that the transport system is balanced in favour of sustainable transport modes giving people a choice about how they travel whilst seeking to improve or at least not exacerbate existing transport issues.

3.3.5 **Communications Infrastructure**

The Neighbourhood Plan sets out the following policies that support communications infrastructures.

EE7 : Communications Infrastructure

This policy recognises the importance of good reliable communications infrastructure to the sustainability of businesses and the educational and social needs of the community.

3.3.6 **Delivering a wide choice of high quality homes**

The Neighbourhood Plan sets out the following policies that aim to deliver a wide choice of high quality homes:

H1 : Spatial strategy and settlement boundaries

H2 : Allocation of land for housing

H4 : Housing Mix

H5 : Housing density

H6 : Affordable housing

H7 : Windfall sites

These policies meet the aims of the NPPF by seeking to ensure that new homes are located sustainably and are designed to meet the needs of local people.

3.3.7 **Requiring good design**

The NDP sets out the following policies that aim to ensure that design is of a high quality:

EH6 : Conserve and Enhance the Heritage Environment

H3 : Quality of design

H5 : Housing density

H8 : Recreational space

These policies meet the aims of the NPPF by seeking to ensure that new development responds to the local character of the built and natural environment and conserves the important local historic environment.

3.3.8 Promoting healthy communities

The Neighbourhood Plan sets out the following policies that promote a healthy community:

LC1 : Support independent living
LC2 : Healthcare facilities
LC3 : Provision of buildings for community use
LC4 : Protection of assets of community value
LC5 : Designation of Local Green Space
GA1 :Promoting sustainable movement

These policies meet the aims of the NPPF by planning positively for the provision of community facilities, recognising the challenges posed by an ageing population and providing opportunities to increase health care and leisure opportunities for all.

3.3.10 Meeting the challenge of climate change, flooding and coastal change

The Neighbourhood Plan sets out the following policies that seek to meet the challenge of climate change, flooding and coastal change:

EH2 : Surface Water Management
EH4 : Renewable and low carbon energy

These policies meet the aims of the NPPF by recognising the need to deal with flooding and also the need to improve the energy and water efficiency of buildings.

3.3.11 Conserving and enhancing the natural environment

The Neighbourhood Plan sets out the following policies that seek to conserve and enhance the natural environment:

H1 : Spatial strategy and settlement boundaries
EH1 : Green Infrastructure and Ecosystem Services
EH3 : Protection of trees and hedgerows
EH7 : Unlit village status
EH10 : Landscape character and important views
EH11 : Sub-division of Agricultural Land

EH12 : Development on Agricultural Land
LC5 : Designation of Local Green Space

These policies meet the aims of the NPPF by recognising the importance of green and open spaces to the wellbeing and vitality of the parish and the important role such places have in the biodiversity of the area.

3.12 Conserving and enhancing the historic environment

The Neighbourhood Plan sets out the following policies that seek to conserve and enhance the historic environment:

EH5 : Non-designated heritage assets
EH6 : Conserve and enhance the heritage environment
EH7 : Unlit village status
EH8 : Wells Houses
EH9 : Sunken Lanes and Stream Lane
EH10 : Landscape character and important views

These policies meet the aims of the NPPF by recognising that heritage assets are an irreplaceable resource. West Chiltington has a rich history with many fine heritage assets and the Plan seeks to ensure that development proposals enhance and conserve such assets.

4. General conformity with the strategic policies of the development plan for the area.

4.1 The Neighbourhood Plan policies are in general conformity with the strategic intent of the Horsham District Council Planning Framework and the South Downs National Park Authority Local Plan . The NP does not seek to replicate the policies of these Plans.

The sustainability attributes of each policy are important to the parish and have therefore been assessed, in the table below, using the following criteria.

Sustainability Attributes Key: + = positive; 0 = neutral; - = negative

Policy Title	HDCPF Policies	Social	Economic	Environmental
H1 spatial strategy and settlement boundaries	26	+	0	+
H2 allocation of land for housing	6	+	+	+
H3 Quality of design	32	+	+	+

H4 housing mix	16	+	+	0
H5 housing density	32	+	+	+
H6 affordable housing	16	+	+	0
H7 windfall sites	16	0	+	0
H8 recreational space	43	+	+	0
EH1 Green infrastructure	31	+	0	+
EH2 surface water management	37	+	0	+
EH3 protection of trees and hedgerows	24	+	0	+
EH4 renewable and low carbon energy	36	+	0	+
EH5 non-designated heritage assets	113	+	0	+
EH6 conserve and enhance the heritage environment	113	+	0	+
EH7 unlit village status	24	+	0	+
EH8 Wells houses	113	0	0	+
EH9 sunken lanes and Stream Lane	113	0	0	+
EH10 landscape character and important views	26	0	0	+
EH11 subdivision of agricultural land	28	0	0	+
EH12 development on agricultural land	26	0	0	0
GA1 promoting sustainable movement	40	+	+	0
GA2 footpath bridleways and cycle path network	39	+	0	+
GA3 parking and new development	39	+	+	+
EE1 supporting existing employment and retail	7	+	+	0
EE2 employment land	7	+	+	0
EE3 local shopping facilities	12	+	+	0
EE4 improving signage	14	+	+	0
EE5 sustainable recreational and tourism activities	11	+	+	+

EE6 rural buildings	28	+	+	0
EE7 Communications infrastructure	39	+	+	0
LC1 support independent living	18	+	+	0
LC2 healthcare facilities	43	+	+	0
LC3 provision of buildings for community use	43	+	+	0
LC4 protection of assets of community value	43	+	+	+
LC5 designation of local green space	31	+	0	+

Sustainability Attributes Key: + = positive; 0 = neutral; - = negative

5. Compatibility with EU Legislation

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

5.2 The Neighbourhood Plan meets the basic condition of not breaching, and otherwise being compatible with EU and Human Rights obligations.

5.3 The Neighbourhood Plan area is in close proximity to a European designated nature site (the Arun Valley Pulborough Brooks) but an assessment has shown that due to the type of development proposed the Plan does not require an Appropriate Assessment under the EU Habitats Regulations. However an assessment was carried out which established that there were no likely effects on this area. Summary as follows:

1. Do any of the proposed policies increase quantum of development beyond 1,500 homes? If this is the case, then additional impacts to sites not assessed in the Appropriate Assessment of the HDPF?

A. No they do not.

2. Will the development locations on the plan have any direct or indirect impacts on the Arun Valley SAC/SPA/RAMSAR (including air quality) that cannot be avoided by the application of the policies in the HDPF?

B. No they will not. In respect of air quality, paragraph 9.13 of the HDPF reflects the decision to declare the whole District as an Emission Reduction Area which means all developments in Horsham district must make reasonable endeavours to minimise air quality emissions.

3. Are there any additional policies within the plan which could impact or alter the mitigation measures set out in the Council's HDPF?

C. No

5.4 Neighbourhood Plans must be in line with European Regulations on strategic environmental assessment and habitat regulations. A Strategic Environmental Assessment of the Plan was carried out (see Appendix).

6. Equality Impact Assessment (EqIA)

Under the Equality Act 2010, public bodies must have due regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Act, and
- Advance equality of opportunity and foster good relations across all protected characteristics (with the exception of marriage and civil partnership).

They also need to publish information showing how they are complying with this duty. The Act defines nine protected characteristics. These are

- Age
- Disability
- Gender Reassignment
- Marriage and Civil Partnership • Pregnancy and Maternity
- Race
- Religion and Belief
- Sex (Gender)
- Sexual Orientation

Part 1

What is it about?

What is the proposal? What outcomes/benefits are you hoping to achieve?

The Neighbourhood Plan sets out the local planning policy framework for West Chiltington Parish until 2032 providing planning policy which will form part of the development plan for the area and will be used to determine planning applications.

Who's it for?

Developers, planning agents, architects, landscape architects, drainage engineers, highway engineers, the general public, the Parish Council, statutory undertakers, statutory consultees, resident interest groups, HDC Development management officers, highways, master planning and design, planning policy officers, members of the planning committee and other stakeholders. The above reflects all parties that may be involved or have an interest in promoting and securing development in West Chiltington.

Part 2

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How will this proposal meet the equality duties?

The submission Neighbourhood Plan details the principles established by the Horsham District Council Planning Framework for the development of the district. This Plan has been subject to equalities assessment.

The policies put forward in the Neighbourhood Plan are in general conformity with the Horsham District Council Planning Framework.

In addition, the policies have been drafted so as to be inclusive of all aspects of the community.

Throughout the preparation of the NP, the steering group has been working with a range of stakeholders and delivery partners to ensure broad support and to identify any particular bias through earlier consultations.

How can you involve your customers in developing the proposal?

All those should find the information in the Neighbourhood Plan easy to understand. There are some principles and concepts which may seem more remote to members of the public however the Neighbourhood Plan document must meet the Regulations laid out in law so must meet certain tests. The community will be involved in the Referendum process should the Plan be successful at Examination. The community will also have a say when plans come forward for the housing sites to ensure that the best possible community outcomes are achieved.

Who is missing? Do you need to fill any gaps in your data?

The approach detailed seeks to ensure the community has and will continue to have access to a range of services and facilities that are consistent with the Parish character as well as helping to protect open space facilities and improve traffic flow to promote safety for all. Policies for the young and old focus on these groups that have particular needs. This will promote inclusiveness across all equality groups.

Part 3 Impact

- a) Does the plan create an adverse impact which may affect some groups or individuals? Is it clear what this is? How can this be mitigated or justified?

The Neighbourhood Plan will provide a mechanism to support an integrated and well-connected community where people want to live. It will support the delivery of a built environment that is safe and secure so reducing fear of crime, which in turn will reduce social exclusion. Good design and easy access to open space also has significant health benefits. Protection of heritage and green infrastructure assets will allow all members of the community to access pleasing and tranquil environments.

On balance, the Neighbourhood Plan should not have an adverse impact on equality groups.

What can be done to change this impact? - no impact identified.

b) Does the proposal create benefit for a particular group? Is it clear what this is? Can you maximise the benefits for other groups? Does the activity have potential to make a positive contribution to equalities?

The planning system and national/local planning policies exist to ensure that planning is carried out in a consistent, fair and transparent manner. Consultation is a statutory requirement as part of the plan making process as is the Duty to Cooperate with other bodies meaning that everyone has the opportunity to comment. Consultation with all groups has been extensive in this process – refer to consultation statement.

Does further consultation need to be done? How will assumptions made in this analysis be tested?

None has been identified other than ensuring that all residents have an opportunity to participate in the Referendum process.

Part 4 So What?

What changes have you made in the course of this EqlA?

None

What will you do now and what will be included in future planning?

Consultation on the submission Neighbourhood Plan will take place by HDC. The PC will ensure that residents have an opportunity to engage with the process through a drop in event and surgeries.

Date of Assessment: September 2018

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