

Fernhurst Neighbourhood Plan Basic Conditions Statement



April 2014

CONTENTS

1	INTRODUCTION	3
	Supporting documents and evidence	3
	Key statements	3
2	CONFORMITY WITH NATIONAL PLANNING POLICY	4
	National Planning Policy Framework	4
	National Planning Practice Guidance	8
	Government Vision and Circular for National Parks	10
3	CONTRIBUTION TOWARDS SUSTAINABLE DEVELOPMENT	13
4	GENERAL CONFORMITY WITH THE STRATEGIC POLICIES OF THE DEVELOPMENT PLAN	14
	The Development Plan	14
	SDNPA Local Plan Options and Community Infrastructure Levy Consultations	14
5	DOES NOT BREACH, AND IS COMPATIBLE WITH, EU OBLIGATIONS AND HUMAN RIGHTS REQUIREMENTS.....	18
6	CONCLUSION	19

1 INTRODUCTION

- 1.1 This Basic Conditions Statement has been produced to explain how the proposed Fernhurst Neighbourhood Development Plan (hereafter known as 'the Fernhurst Neighbourhood Plan' or 'FNP') has been prepared in accordance with the Neighbourhood Planning General Regulations 2012 and how the basic conditions of neighbourhood planning and other considerations as prescribed by Paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 have been considered to have been met.
- 1.2 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.
- 1.3 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); and
 - the making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations.

Supporting documents and evidence

- 1.4 The Fernhurst Neighbourhood Plan Submission Version is supported by a Consultation Statement, Sustainability Appraisal and this Basic Conditions Statement.

Key statements

- 1.5 Fernhurst Parish Council is a qualifying body and entitled to submit a Neighbourhood Plan for its own parish. The Fernhurst Neighbourhood Plan expresses policies that relate to the development and use of land only within the neighbourhood area.
- 1.6 The neighbourhood area is contiguous with the parish boundary, as shown in the map accompanying the neighbourhood area designation application.
- 1.7 The Fernhurst Neighbourhood Plan covers the period from 2014 to 2029.
- 1.8 No provision for excluded development such as national infrastructure is contained within the Neighbourhood Plan.
- 1.9 The Fernhurst Neighbourhood Plan does not relate to more than one neighbourhood area. It is solely related to the area of Fernhurst as designated by South Downs National Park Authority on 13th September 2012.
- 1.10 There are no other neighbourhood plans in place for the Fernhurst neighbourhood area.

2 CONFORMITY WITH NATIONAL PLANNING POLICY

- 2.1 It is required that the Fernhurst Neighbourhood Plan (FNP) has appropriate regard to national planning policy. This is principally provided by the National Planning Policy Framework (NPPF). However, the UK Government Vision and Circular addressing National Parks is also relevant, albeit that this is not policy.

National Planning Policy Framework

- 2.2 The NPPF in sections 183-185 refers to Neighbourhood Plans and seeks that those plans have regard to the policies in the NPPF and to be in 'general conformity' with the strategic policies of the Local Plan. This phrasing is explained more clearly by the Localism Act which refers to the 'adopted Development Plan'.

- 2.3 This section considers the conformity of the FNP in respect of the relevant policies within the NPPF. Specifically this relates to the following NPPF objectives:

- Delivering a wide choice of high quality homes
- Supporting a prosperous rural economy
- Promoting sustainable transport
- Supporting high quality communications infrastructure
- Requiring good design
- Promoting healthy communities
- Conserving and enhancing the natural environment
- Conserving and enhancing the historic environment

- 2.4 The FNP has six objectives:

- **Objective 1: Address the housing needs of those with a local connection to Fernhurst parish, particularly older and younger people who are unable to access housing at current market values.**

This seeks to address the NPPF goal of 'delivering a wide choice of high quality homes'.

- **Objective 2: Ensure the most sustainable use of brownfield sites in the parish.**

This seeks to address the NPPF goals of 'delivering a wide choice of high quality homes', 'building a strong, competitive economy' and 'conserving and enhancing the natural environment'.

- **Objective 3: Provide for the changing needs of businesses and employment within the parish.**

This seeks to address the NPPF goal of 'building a strong, competitive economy'.

- **Objective 4: Enhance and provide for the community’s infrastructure needs.**

This seeks to address the NPPF goals of ‘supporting high quality communications infrastructure’ and ‘promoting healthy communities’.

- **Objective 5: Ensure design of development respects the local vernacular.**

This seeks to address the NPPF goals of ‘requiring good design’, ‘conserving and enhancing the historic environment’ and ‘conserving and enhancing the natural environment’.

- **Objective 6: Protect and enhance Fernhurst parish’s role in the South Downs National Park, including as a tourist destination.**

This seeks to address the NPPF goals of ‘supporting a prosperous rural economy’ and ‘building a strong, competitive economy’.

2.5 Table 1 provides a summary of how each policy in the FNP conforms to the NPPF.

Table 1: Assessment of how each policy in the FNP conforms to the NPPF

No.	Policy title and reference	NPPF ref. (para.)	Commentary
1	Policy H1: Delivery and mix of housing	50, 54	Recognises the need for Fernhurst, as one of the larger settlements in the National Park, to provide for a range of housing needs, both for its community and the wider area it serves.
2	Policy H2: Affordable housing	50, 54	Addresses the particular need for affordable housing within this part of the National Park, including local needs.
3	Policy H3: Self-build residential development	50, 54	Provides for a range of opportunities that will help to address the need for more housing.
4	Policy SA1: Site Allocation – Oil Depot site, Midhurst Road	50, 54, 111	Allocates a brownfield site close to the centre of Fernhurst village for housing.
5	Policy SA2: Site Allocation – Former Syngenta site, Midhurst Road	22, 50, 54, 111, 116	Allocates a largely derelict brownfield site which can create a more positive landscape setting than at present and avoids the need for development of greenfield sites to address established housing needs that would have a more harmful impact on the landscape. Site is on a bus route into Fernhurst village and to the larger centres of Midhurst and Haslemere. Provides a mixed use solution to the redundant part of a larger employment site, whilst providing opportunities for existing businesses to expand. Addresses a range of housing needs. Provides the opportunity for growth in tourism, linked to the National Park.
6	Policy SA3: Site Allocation – Hurstfold Industrial	50, 54, 111, 116	Allocates a brownfield site which is a bad neighbour use, so creating a more positive landscape setting than at present

No.	Policy title and reference	NPPF ref. (para.)	Commentary
	Estate, Surney Hatch Lane		<p>and avoiding the need for development of greenfield sites to address established housing needs that would have a more harmful impact on the landscape.</p> <p>The loss of employment on the site would be mitigated by the provision of alternative employment elsewhere in the parish, with the mechanism to ensure this can happen.</p> <p>The site is in an inappropriate location to provide for the long term employment needs of the parish.</p>
7	Policy SA3: Site Allocation – Bridgelands site, Verdley Place	50, 54, 111, 116	<p>Allocates a derelict brownfield site which can create a more positive landscape setting than at present and avoids the need for development of greenfield sites to address established housing needs that would have a more harmful impact on the landscape.</p> <p>The site presently provides bad neighbour uses and is in an inappropriate location to provide for the long term employment needs of the parish.</p>
8	Policy SC1: Residential care home	50, 54	Addresses the specific housing and care needs identified for older people and the ageing population.
9	Policy SB1: Fernhurst village settlement boundary	55, 109	Defines the existing built up area boundary to ensure consistency with the need to deliver affordable and open market rural homes and to protect the natural landscape beyond the urban edge.
10	Policy EE1: Biomass energy	95, 97	Identifying the opportunity to use local natural resources to help minimise the impacts of climate change that arise from development.
11	Policy EE2: Solar panels in Conservation Areas	58, 126	Seeks to ensure that the provision of solar panels in visually intrusive places does not detract from the Conservation Areas.
12	Policy EE3: Light pollution	125	Seeks to ensure that light pollution does not detract from the quality of the night sky in an area of outstanding natural beauty.
13	Policy EE4: Protection of Local Green Spaces of Community Value	74, 76, 77	Makes use of the provision for making a designation and applies the site selection criteria.
14	Policy EE5: Protection of important views from Fernhurst village	109	Protects views of particularly valued local landscapes.
15	Policy TO1: Tourism and heritage signage	58	Seeks to ensure that Fernhurst can retain the aesthetic of a quality village and enhance its role as a gateway to the National Park.
16	Policy TO2: Protection of Crossfield Car Park	40	Seeks to protect a key site for parking in Fernhurst village that provides easy access to shops and services.
17	Policy TO3: Street furniture	58	Seeks to ensure that Fernhurst can retain the aesthetic of a quality village and enhance its role as a gateway to the National Park.

No.	Policy title and reference	NPPF ref. (para.)	Commentary
18	Policy CF1: Youth club and Scout hut buildings	70, 162, 171, 184	Seeks to ensure the long term viability of key community facilities.
19	Policy CF2: Provision of new allotments	70, 162, 171, 184	Seeks to provide for an identified need for new facilities that will contribute towards a healthier community.
20	Policy CF3: Improvement of existing community facilities	70, 162, 171, 184	Seeks to ensure the long term viability of key community facilities.
21	Policy TR1: Bus services	29, 30	Seeks to ensure the long term viability of rural bus services that provide for local needs and particularly for those with no access to a car.
22	Policy TR2: Provision of traffic calming measures	58	Seeks to ensure that Fernhurst village is a safe place for pedestrians where they come into contact with vehicular traffic.
23	Policy DE1: Style of residential development	58, 60	Seeks to reflect the distinctiveness on the architecture of local residential development in Fernhurst.
24	Policy DE2: Building materials	58, 60	Seeks to reflect the distinctiveness on the architecture of local residential development in Fernhurst.
25	Policy DE3: Landscaping and design of amenity spaces	58	Seeks to ensure that the elements of new developments which are most visible to the local community are of the highest quality and retain the rural and village feel of Fernhurst.
26	Policy DE4: Residential building heights	60, 61	Reflects community views about the importance of restricting building heights to preserve Fernhurst's rural village setting.
27	Policy EM1: Additional commercial floorspace at Fernhurst Business Park, Midhurst Road	21, 22, 28	Seeks to provide for new employment opportunities that can provide new jobs in a rural area.
28	Policy EM2: Support for micro-businesses	21, 28	Recognises the potential for small start-up businesses to grow and seeks to provide for their needs.
29	Policy EM3: Provision of commercial space at residential properties	21, 28	Recognises the potential for small start-up businesses to grow and seeks to provide for their needs.
30	Policy EM4: Tourism employment in Fernhurst	21, 28	Recognises the potential for Fernhurst to provide tourism-related employment opportunities linked to its role as a gateway to the National Park.
31	Policy EM5: Support for broadband services	43	Seeks to ensure that Fernhurst is provided with a high quality communications network in order that its economic base can grow.
32	Policy EM6: Improved training services at Fernhurst Centre	21	Seeks to provide for the needs of local employers in developing the skills within the local population that enables them to access employment opportunities locally.

National Planning Practice Guidance

- 2.6 The National Planning Practice Guidance (PPG) was issued on 6th March 2014. It clarifies certain matters within the NPPF.

Bringing a Neighbourhood Plan forward ahead of a Local Plan

- 2.7 As is explained in Section 4 of this Basic Conditions Statement, the FNP is being brought forward ahead of the SDNPA emerging Local Plan. Whilst the FNP would ideally wait until a Local Plan in place, this is not expected until 2017 at the earliest.
- 2.8 The PPG states that it is possible to bring into force a neighbourhood plan in advance of a local plan. It states that:

"Where a neighbourhood plan is brought forward before an up-to-date Local Plan is in place the qualifying body and the local planning authority should discuss and aim to agree the relationship between policies in:

- *the emerging neighbourhood plan*
- *the emerging Local Plan*
- *the adopted development plan*

with appropriate regard to national policy and guidance.

The local planning authority should take a proactive and positive approach, working collaboratively with a qualifying body particularly sharing evidence and seeking to resolve any issues to ensure the draft neighbourhood plan has the greatest chance of success at independent examination."

- 2.9 The FNP Steering Group has worked closely with officers from SDNPA throughout the process of production of the FNP. In particular, advice on the need for landscape and viability assessments has been used to appropriately expand the evidence base and inform the development of the plan. For its part, the Local Plan Options Consultation document published by SDNPA makes reference to the draft FNP plans for the Syngenta site, making it clear that this is the emerging policy position for one of the major sites in the National Park. In addition, clarity has been provided on the use of policies in the adopted development plan and the appropriate parts of national policy which are reflected in this section.

Development in National Parks and Areas of Outstanding Natural Beauty

- 2.10 As is identified in paragraphs 115 and 116 of the NPPF, the PPG reiterates that:

"Great weight should be given to conserving landscape and scenic beauty in National Parks...and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks..."

Planning permission should be refused for major development in a National Park, the Broads or an Area of Outstanding Natural Beauty except in exceptional circumstances and where it can be demonstrated to be in the public interest.

Consideration of such applications should include an assessment of:

- *the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;*
- *the cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and*
- *any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated."*

2.11 As was shown in Table 1 in respect of the three site allocations which could be considered to represent 'major development' – Policies SA2-SA4 – full and careful assessment against the criteria shown in the quote above has enabled the FNP to arrive at the consideration that these sites represent acceptable development in a National Park and an Area of Outstanding Natural Beauty.

Housing need

2.12 The FNP does not seek to set a housing requirement in any of its policies. However, the extent of housing proposed on the site allocations, SA1 to SA4, is informed by an understanding of housing needs.

2.13 The PPG specifically addresses whether neighbourhood plans can identify housing needs. It states that they can, but that any assessment at a local level must be proportionate. It goes to state that:

"The neighbourhood plan should support the strategic development needs set out in Local Plans, including policies on housing and economic development. The level of housing and economic development is likely to be a strategic policy."

2.14 As will be considered below, the adopted Chichester Local Plan does not have an up-to-date policy framework that identifies strategic housing needs and the SDNPA emerging Local Plan is too early in its development to provide a draft position. It is therefore necessary and appropriate for this to be addressed by the FNP.

2.15 The FNP details the appropriate approach for assessing housing need. It states that the starting point should be household and population projections. However, at a parish level such projections lack robustness therefore it has been deemed as inappropriate for the FNP to start its assessment with these projections.

2.16 The PPG states that market signals should be taken into account, including land prices, house prices, rents and affordability. All of these signals have been included in the analysis of housing needs contained within the FNP and the major site allocation – Policy SA2 at Syngenta – is accompanied by a viability assessment which considers, amongst other things, the land value.

2.17 The PPG states that:

"Market signals are affected by a number of economic factors, and plan makers should not attempt to estimate the precise impact of an increase in housing supply. Rather they should increase planned supply by an amount that, on reasonable assumptions and consistent with principles of

sustainable development, could be expected to improve affordability, and monitor the response of the market over the plan period.”

- 2.18 It is considered that the FNP, in arriving at the proposed allocations in Policies SA1 to SA4, has sought to increase planned supply in line with these principles.
- 2.19 The PPG states that the needs of particular groups should be assessed and plan makers should examine current and future trends of:
- the proportion of the population of different age profile;
 - the types of household (e.g. singles, couples, families by age group, numbers of children and dependents);
 - the current housing stock size of dwellings (e.g. one, two+ bedrooms);
 - the tenure composition of housing.
- 2.20 The FNP has done this – Policy H1 seeks a mix of dwelling sizes and a proportion of housing that should be built to Lifetime Homes standards and Policy H2 seeks to provide a greater proportion of affordable housing as intermediate housing, in line with the evidence presented. Policy H3 also provides greater opportunities for self-build housing. Policy SC1 provides policy support for the provision of a residential care home.

Ensuring deliverability

- 2.21 The PPG addresses whether neighbourhood plans have to be deliverable. It directs this to the NPPF and the requirement that the sites and the scale of development identified in a plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened.
- 2.22 For the FNP, this is particularly relevant to the largest site allocation, Policy SA2 at Syngenta. This policy places a number of burdens upon a developer on what is a site with a complex history. In order to ensure that the policy is viable, the evidence base includes a Viability Assessment of Policy SA2 which concludes that the policy is deliverable and therefore this requirement of national policy can be satisfied.

Management Plans for National Parks

- 2.23 The PPG recognises that, in order to take account of up-to-date information about the natural environment and other characteristics of the National Park, neighbourhood plans should have regard to management plans for national parks. The SDNPA Partnership Management Plan was published in 2014 and has informed the final version of the FNP. This is addressed later in this Basic Conditions Statement.

Government Vision and Circular for National Parks

- 2.24 The Government Vision and Circular for National Parks¹ provides specific Government guidance on planning matters within National Parks. It seeks a renewed focus on achieving the Park Purposes, as first outlined in the National Parks and Access to the Countryside Act 1949. Its principal purposes in this respect are:

¹ Department for Environment, Food and Rural Affairs (2010) *English National Parks and the Broads*, UK Government Vision and Circular 2010

- Conserving and enhancing the natural beauty, wildlife and cultural heritage of the Parks; and
- Promoting opportunities for the understanding and enjoyment of the special qualities of the Parks by the Public.

2.25 The Vision and Circular also states how National Park Authorities should discharge their duty “to seek to foster the economic and social well-being of local communities within the National Park” in pursuing these two purposes. This includes supporting the delivery of affordable housing and at paragraph 78 it states:

“National Park Authorities have an important role to play as planning authorities in the delivery of affordable housing. Through their Local Development Frameworks they should include policies that pro-actively respond to local housing needs. The Government recognises that the Parks are not suitable locations for unrestricted housing and does not therefore provide general housing targets for them. The expectation is that new housing will be focussed on meeting affordable housing requirements, supporting local employment opportunities and key services.”

2.26 Paragraph 79 goes on to say:

“The Government expects the Authorities to maintain a focus on affordable housing and to work with local authorities and other agencies to ensure that the needs of local communities in the Parks are met and that affordable housing remains so in the longer term.”

2.27 Objective 1 of the FNP is to, ‘Address the housing needs of those with a local connection to Fernhurst parish, particularly older and younger people who are unable to access housing at current market values.’ Therefore the focus on the needs of the local community and the provision of affordable housing is paramount in the plan.

2.28 Table 2 below summarises the priority outcomes of the Vision and Circular and how the FNP contributes towards achieving these outcomes.

Table 2: Assessment of how each policy in the FNP contributes towards the priority outcomes of the Vision and Circular on National Parks

Priority outcome in Vision and Circular	Commentary
Leading the way in adapting to, and mitigating, climate change	
Helping people and nature to adapt to climate change	No policy
Mitigating climate change: leading the way	Seeks to avoid loss of greenfield land and promotes the development of high quality design in buildings as well as biomass as a source of energy.
Secure a diverse and healthy natural environment, enhance cultural heritage and inspire lifelong behaviour change	
Manage landscape, heritage and improve quality of place	Development proposals must ensure that an appropriate landscape strategy is in place. Developments must be of a high quality of design. Policies are in place to protect views into and out of Fernhurst village.
Biodiversity, valued, safeguarded and enhanced	Development proposals must ensure that an appropriate biodiversity strategy is in place. For the largest developments, a Phase 1 Habitats Survey is required.
Protecting and enhancing soils in our most valued landscapes	No policy. The Sustainability Appraisal assessed that development would not have a significant impact on soils.
Promoting and delivering agri-environment schemes and food security	No policy
Promoting better management of Common Land	No policy
Improving public understanding of the natural environment and the benefits of outdoor recreation	Through site allocations, particularly at Syngenta, providing opportunities for people to access the surrounding countryside.
Foster and maintain vibrant, healthy and productive living and working communities	
Foster and maintain thriving rural economies	Employment provision is made at the Syngenta site and at Fernhurst Business Park. Opportunities are created for micro businesses and those working from home to be able to address their business needs.
Support the delivery of affordable housing	Policies seek to ensure that sufficient affordable housing is provided to address local needs and the areas that Fernhurst serves.
Encourage communications infrastructure	Support is given for improvement of broadband services.
Make tourism sustainable	Encourages sustainable tourism within Fernhurst and recognises the potential of the Syngenta site to act as a base for visitors to access the National Park.
Promote sustainable transport, including navigation	Policies seek to support opportunities to expand commercial and community bus service provision.

3 CONTRIBUTION TOWARDS SUSTAINABLE DEVELOPMENT

- 3.1 The NPPF states in paragraph 14 that a presumption in favour of sustainable development is at the heart of the NPPF and 'should be seen as a golden thread running through both plan-making and decision-taking.'
- 3.2 The strategic objectives of the Neighbourhood Plan comprise a balance of social, economic and environmental goals.
- 3.3 The **social** goals are to maintain a thriving community within Fernhurst, recognising that the community and its needs may change over time. This it seeks to achieve by providing an appropriate mix of new homes to meet the demands and needs of the local and wider community and also by providing the supporting infrastructure that the community needs through additional community facilities.
- 3.4 The **economic** goals are to retain the existing employment base and to provide opportunities for the growth of new sectors within Fernhurst. This it seeks to achieve by identifying new locations for employment growth – at Fernhurst Business Park and at Syngenta – as well as protecting the existing employment base at the Syngenta site. It also provides opportunities for small start-up businesses to thrive.
- 3.5 The **environmental** goals are to protect the high quality environment of the National Park and ensure that development recognises this in its design, landscaping and access to the surrounding rural areas. This it seeks to achieve through the provision of guidance on the requirements of planning applications in respect of the proposed allocations. It also provides guidance on the appropriateness of development outside the built-up area boundary.
- 3.6 Success in these respects will maintain the economically active population of the FNP area, whilst also addressing the needs of the ageing population. It can therefore be considered that the FNP will be making an important contribution towards addressing the wider economic needs of the South Downs National Park.
- 3.7 The South Downs National Park Authority (SDNPA) considered that a Strategic Environmental Assessment (SEA) was required because the FNP is likely to have a significant impact upon the environment. Furthermore, in view of the fact that the SDNP Local Plan is in the early stages of development and that no Sustainability Appraisal (SA) was ever undertaken for the Chichester District Local Plan, it was established that there is a need to consider the proposed housing sites and other elements of the plan against sustainability criteria.
- 3.8 For this reason, an SA has been undertaken to satisfy the requirements of Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment. While there is no statutory requirement to do so, it was recommended by SDNPA that a full SA was undertaken which takes into consideration the broader economic and social effects of the plan. This was duly undertaken and is provided as part of the supporting documents to the plan.

4 GENERAL CONFORMITY WITH THE STRATEGIC POLICIES OF THE DEVELOPMENT PLAN

The Development Plan

- 4.1 The development plan currently consists of the 1999 Chichester District Local Plan (First Review) 'Saved Policies' and the West Sussex Minerals Local Plan 'Saved Policies'. The Chichester Local Plan will be superseded when the SDNPA adopts its Local Plan. However, this plan is in the early stages of preparation and is not expected to be adopted until June 2017 (as stated by SDNPA in its Local Development Scheme (<http://www.southdowns.gov.uk/planning/planning-policy/local-plan>)).
- 4.2 Although out of date, there are a number of 'saved' policies from the Chichester Local Plan that are relevant to this statement and the assessment of the FNP against the basic conditions. With one exception, these policies are all detailed in nature and therefore do not represent the strategic policies of the development plan. The strategic policies (which informed the saved policies) historically came from the West Sussex Structure Plan which is no longer in place.
- 4.3 The one exception relates to affordable housing provision. The specific saved policy on this – Policy H8 – addresses 'Social and Low Cost Housing in Settlement Policy Areas' and does not provide an overall affordable housing requirement. In light of this, an interim statement has been adopted by Chichester District Council which is intended to apply until the Local Plan saved policy is superseded by its currently emerging Local Plan. This interim statement provides affordable housing requirements for different thresholds of housing but does not require a particular split between social rented and intermediate tenures. Therefore, whilst the Neighbourhood Plan has a policy addressing the split of affordable housing (Policy H2), this is still in conformity with the interim statement.
- 4.4 It should also be noted that once the current Chichester Local Plan Saved Policies are superseded by the plan currently being prepared by the District Council, then Fernhurst will no longer be covered by this policy because responsibility for this will pass to the SDNPA.
- 4.5 The emerging Joint West Sussex Waste Local Plan is also a material consideration.

SDNPA Local Plan Options and Community Infrastructure Levy Consultations

- 4.6 In February 2014 the SDNPA published its Local Plan Options Consultation document. The consultation ran until 30th April 2014. Whilst the end of the consultation period was just prior to submission of the FNP, it is important to consider the document. Whilst it is called an Options Consultation, it only presents a range of high level options to address a number of issues. It does not present any form of policy approach.
- 4.7 Whilst there are a number of issues that relate to matters being addressed by the FNP, there is only one issue of direct relevance. Issue 29 relates to the use of brownfield sites and specifically identifies the Syngenta site, citing the main requirements of Policy SA2. The consultation asks whether respondents have any views as to how these sites should be developed. The fact that this draft position is reflected in an emerging Local Plan document is further evidence of the close working between the FNP Steering Group and the SDNPA.

- 4.8 Given the nature of the consultation and the fact that the results of the consultation have not been published, it is not possible to determine the extent to which the FNP is in conformity with the emerging Local Plan.
- 4.9 At the same time, SDNPA consulted on its Community Infrastructure Levy (CIL) Preliminary Draft Charging Schedule (PCDS). This is proposing the following CIL rates for development in Fernhurst:
- Residential - £200 per m²
 - Large format retail - £120 per m²
 - All other development - £0 per m²
- 4.10 In light of the contributions sought by the FNP towards infrastructure in Fernhurst, this demonstrates that a significant level of developer contributions will be raised that can be put towards addressing these issues.

South Downs National Park Partnership Management Plan

- 4.11 Although this is not planning policy, the national PPG recognises its importance in highlighting the value and special qualities of the National Park and the AONB designation and showing communities and partners how their activity contributes to protected landscape purposes.
- 4.12 The South Downs National Park Partnership Management Plan (PMP) 2013 was published in 2014 when the FNP was at an advanced stage. However, the emerging PMP has informed the evolution of the FNP and it has been important that the final PMP has been evaluated against the FNP as a whole.
- 4.13 The PMP has eleven outcomes which seek to balance the importance of protecting the landscape and its assets with the need to take advantage of tourism opportunities and providing for the needs of the population, in terms of housing and jobs. Reflecting an appropriate balance in the FNP is important. Each outcome has a set of indicators and Table 3 below considers, for the relevant indicators, how well the FNP and its evidence base considers and addresses these objectives.

Table 3: Assessment of contribution of FNP towards addressing objectives of the SDNPA Partnership Management Plan

Outcome	Indicator	Addressed by FNP evidence base/policies?
The landscape character of the National Park, its special qualities and local distinctiveness have been conserved and enhanced by effectively managing land and the negative impacts of development and cumulative change.	<ul style="list-style-type: none"> • Character of the landscape, including historic elements, is maintained. • Percentage of the National Park that is relatively tranquil for its area. • Percentage area considered to have a dark night sky. • Percentage of designated or notified Geological / Geomorphological Sites managed in better condition. 	<ul style="list-style-type: none"> • Landscape and Visual Impact Assessment • N/A – a Park-wide indicator • Policy EE3 • N/A
There is increased capacity within the landscape for its natural resources, habitats and species to adapt to the impacts of climate	<ul style="list-style-type: none"> • Percentage of rivers and groundwater bodies with water available for abstraction. • Percentage of farmland and of 	<ul style="list-style-type: none"> • N/A • N/A

Outcome	Indicator	Addressed by FNP evidence base/policies?
change and other pressures.	<ul style="list-style-type: none"> • woodland area that is managed under agri-environment or other schemes. • Total greenhouse gas emissions in the National Park. 	<ul style="list-style-type: none"> • N/A – a Park-wide indicator
A well-managed and better connected network of habitats and increased population and distribution of priority species now exist in the National Park.	<ul style="list-style-type: none"> • Area, condition and connectivity of target priority habitats. • Population and distribution of target priority species. • Distributions of target non-native invasive species. • Percentage of water bodies achieving 'good' or 'high' status or potential. 	<ul style="list-style-type: none"> • Site allocations SA1-Sa4 seek to minimise impact on priority habitats. See Sustainability Appraisal. • See Sustainability Appraisal. • N/A • N/A
The condition and status of many cultural heritage assets and their settings is significantly enhanced, many more have been discovered and they contribute positively to local distinctiveness and sense of place.	<ul style="list-style-type: none"> • Percentage of heritage assets 'at risk'. • Number of new heritage assets in the National Park added to Historic Environment Record. 	<ul style="list-style-type: none"> • Sustainability Appraisal demonstrates none are at risk. • N/A
Outstanding visitor experiences are underpinned by a high quality access and sustainable transport network providing benefits such as improved health and wellbeing.	<ul style="list-style-type: none"> • Percentage of Public Rights of Way (PRoW) that is 'easy to use' or in good condition. • Number of routes promoted as accessible. • Proportion of visits by public transport. • Percentage of visitors who felt very satisfied with the visitor experience. • Number of day visits to museums and heritage sites. 	<ul style="list-style-type: none"> • The development strategy does not impinge on any PROWs. • N/A • N/A • Policies TO1 to TO3 seek to improve the experience for tourists. • N/A
There is widespread understanding of the special qualities of the National Park and the benefits it provides.	<ul style="list-style-type: none"> • Percentage of people who are aware of why the National Park is a special place. • Percentage of schools within a 5km radius of the boundary using the National Park for learning outside of the classroom experiences at least once a year. 	<ul style="list-style-type: none"> • N/A • N/A
The range and diversity of traditional culture and skills has been protected and there is an increase in contemporary arts and crafts that are inspired by the special qualities of the National Park.	<ul style="list-style-type: none"> • Number and value of grants made by key organisations for cultural projects inspired by the special qualities. • Number of courses in traditional crafts. 	<ul style="list-style-type: none"> • N/A • N/A
More responsibility and action is taken by visitors, residents and businesses to conserve and	<ul style="list-style-type: none"> • Total number of volunteer days spent on activity relating to the special qualities. Average public 	<ul style="list-style-type: none"> • N/A

Outcome	Indicator	Addressed by FNP evidence base/policies?
enhance the special qualities and use resources more wisely.	<p>water supply consumption for areas supplied by sources within the National Park.</p> <ul style="list-style-type: none"> • Average annual daily traffic flows on National Park roads. • Number and proportion of community led plans that are adopted and/or endorsed by the National Park Authority. 	<ul style="list-style-type: none"> • The FNP seeks to improve the provision of bus services • The FNP is a community-led plan.
Communities and businesses in the National Park are more sustainable with an appropriate provision of housing to meet local needs and improved access to essential services and facilities.	<ul style="list-style-type: none"> • Percentage of communities with access to natural greenspace. • Percentage of communities with access to key facilities. • Number and proportion of new homes built that are 'affordable housing'. 	<ul style="list-style-type: none"> • Policy EE4 of the FNP seeks to protect Local Green Spaces of value to the community. • The FNP seeks to protect and provide for key community facilities, such as the Youth Club and Scout Hut buildings (Policy CF1). • N/A – this is a strategic matter.
A diverse and sustainable economy has developed which provides a range of business and employment opportunities, many of which are positively linked with the special qualities of the National Park.	<ul style="list-style-type: none"> • Number and diversity of business types that exist within the National Park. • Average length of visitor stay and spend per visitor per day. • Area of National Park with broadband connection (superfast/normal) and mobile coverage. 	<ul style="list-style-type: none"> • Policy SA2 seeks to provide for existing businesses to expand and new businesses to develop. Policy EM6 provides for improved training. • Tourism policies TO1 to TO3 seek to make Fernhurst a more attractive place for visitors to spend time. Site allocation SA2 seeks to provide for tourism opportunities. • Policy EM5 provides support for improved broadband services.
Local people have access to skilled employment and training opportunities.	<ul style="list-style-type: none"> • Number of jobs created and supported by local enterprises in the National Park. • Skills levels of employees in the National Park. • Young people not in education, employment or training. 	<ul style="list-style-type: none"> • Policy SA2 seeks to provide for existing businesses to expand and new businesses to develop. • Policy EM6 provides for improved training. • Policy EM6 provides for improved training.

5 DOES NOT BREACH, AND IS COMPATIBLE WITH, EU OBLIGATIONS AND HUMAN RIGHTS REQUIREMENTS

- 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 As stated earlier, a Strategic Environmental Assessment was considered to be required as a result of a screening process undertaken by SDNPA. As a result, a Sustainability Appraisal of the whole Neighbourhood Plan has been undertaken. This document is included separately as part of the document submitted at the Publicity Stage (Regulation 15).
- 5.3 The Neighbourhood Area is not in close enough proximity to any European designated nature sites to warrant an Appropriate Assessment under the EU Habitats Regulations and so this has not been required by SDNPA.

6 CONCLUSION

- 6.1 The Basic Conditions as set out in Schedule 4B to the TCPA 1990 are considered to be met by the Fernhurst Neighbourhood Plan and all the policies therein. It is therefore respectfully suggested to the Examiner that the Fernhurst Neighbourhood Plan complies with Paragraph 8(1)(a) of Schedule 4B of the Act.

