

## SDNPA Neighbourhood Plan Submission Checklist Fittleworth Neighbourhood Development Plan (FNDP)

Submitted 23 January 2019

STAGE	DESCRIPTION	✓ / X	RELEVANT LEGISLATION & REGULATIONS	COMMENTS
I. Receipt of draft NDP by SDNPA	<p>The draft plan includes:</p> <p>a. a map or statement identifying the area to which the plan relates</p> <p>b. the consultation statement – which contains details of those consulted, how they were consulted, summarises the main issues and concerns raised and how these have been considered, and where relevant addressed in the proposed NDP</p> <p>c. the proposed NDP</p> <p>d. a statement explaining how the NDP meets the 'basic conditions'</p>	<p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p>	<p>Regulation 15</p> <p>Para 8 Schedule 4B to the 1990 Act</p>	<p>Map of Neighbourhood area can be seen on page 4 of the FNDP. This map shows clearly the designated Neighbourhood Area which includes the entire parish of Fittleworth. The original NDP designation map has also been submitted alongside the FNDP</p> <p>A Consultation Statement has been submitted to support the FNDP. The Consultation Statement describes the consultation process which has been used to develop the FNDP. The statement also describes the consultation events and different methods of communication used by the FNDP group to ensure the FNDP reflects the views of the wider community. The majority of the Consultation Statement sets out a comprehensive record of the comments received on the Pre Submission consultation (Regulation 14) and the subsequent modifications made by the FNDP group. The statement also describes the community consultation events used by the FNDP group, including public exhibitions held in November 2014, October 2015 and March 2016. The NDP has also been debated and discussed by the wider community at Parish Assembly's throughout the plan preparation period. The Pre submission consultation started on 15 January 2018 for a period of 6 weeks.</p> <p>A Basic Conditions Statement has been submitted providing</p>



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	e. Where appropriate, the information to enable appropriate environmental assessments if required or where it has been determined that a plan proposal is unlikely to have significant environmental effects, a statement of reasons for the determination.	✓	The Conservation of Habitats and Species Regulations 2010 as amended by Schedule 2 of the Neighbourhood Planning (General Regulations) 2012. i.e. Regs 102 & 102A	<p>details of how the FNDP is considered to meet the legal tests for NDPs. The Basic Conditions Statement describes how the FNDP meets the four basic conditions with a description on conformity provided for each individual test. Conformity with National Policy set out at Section 3, conformity with the development plan at Section 5 and a description of how the plan contributes to achieving sustainable development at Section 4. Section 6 of the Basic Conditions Statement describes how the FNDP is compatible with EU obligations, again referring to the SEA and HRA which have informed the development of the FNDP.</p> <p>The FNDP has been subject to a full Strategic Environmental Assessment and Habitats Regulation Assessment. Section 4 refers to the Strategic Environmental Assessment incorporating sustainability appraisal which demonstrates the FNDP contribution to sustainable development. Section 4.5 describes the Habitats Regulation Assessment, and describes how this process has influenced the development of the plan in relation to European designations. The SEA and HRA have resulted in a number of modifications to the FNDP to ensure the plan conforms to the basic conditions.</p>



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2. SDNPA assessment of the proposed neighbourhood plan	<p>a. Is it a repeat plan proposal?</p> <p>b. Is the parish / town council authorised to act?</p> <p>c. Do the proposal and accompanying documents;</p> <ul style="list-style-type: none"> <li>comply with the rules for submission to the LPA (1a-e)</li> <li>meet the 'definition of a NDP'</li> <li>meet the 'scope of NDP provisions'</li> </ul> <p>Definition of a NDP = "is a plan which sets out policies (however expressed) in relation to the development and use of land in the whole or any part of a particular neighbourhood area specified in the plan."</p> <p>Scope of NDP provisions =</p> <ul style="list-style-type: none"> <li>The NDP must specify the period for which it is to have effect</li> <li>It cannot include provision about development that is 'excluded development'<sup>1</sup></li> <li>It cannot relate to more than one</li> </ul>	<p>X</p> <p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p>	<p>1990 Act Schedule 4B para 5 &amp; Regulation 18</p> <p>38 A and B</p> <p>2004 Planning &amp; Compulsory Purchase Act as amended by the Localism act Section 38 A (2)</p> <p>2004 Act Section 38B (1 &amp; 2) (4)</p>	<p>This is the first NDP proposal to be submitted for Fittleworth Neighbourhood Area.</p> <p>Fittleworth Parish Council was established as the Qualifying Body, responsible for the preparation of the FNDP when the Neighbourhood Area was designated on 5 March 2015. The Fittleworth Parish Council agreed the Submission version of the FNDP at a meeting held on 21 January 2019</p> <p>The FNDP contains 9 planning policies which are in relation to development and the use of land. Policy Fitt9 provides details of site allocations and includes development briefs for each allocated sites incorporating policy requirements to reflect the findings of SEA and HRA</p> <p>The time period for the FNDP is 15 years 2018 - 2033, as stated on the front cover of the FNDP</p> <p>The FNDP does not include policies on excluded development.</p> <p>The FNDP contains policies which only relate to the Fittleworth Neighbourhood Area.</p>

<sup>1</sup> 'Excluded development' = County matter i.e. relating to minerals, Any operation or class of operation relating to waste development, development that falls within Annex 1 to Council Directive 85/337/EEC i.e. Oil refineries, power stations, radioactive waste disposal, iron and steel smelting, asbestos operations, chemical installations, motorways, airports, ports and toxic and dangerous waste disposal. Development consisting wholly or partly of a national infrastructure project



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	<p>neighbourhood area or repeat an existing planning permission</p> <p>d. Has the parish / town council undertaken the correct procedure in relation to consultation and publication.</p>	✓		<p>Fittleworth Parish Council has undertaken an extensive programme of consultation on the FNDP in accordance with the Neighbourhood Planning (General) Regulations 2012. The Qualifying body have exceeded the requirement set out by legislation in relation to public consultation. The Consultation Statement which was submitted with the Neighbourhood Plan describes the consultation process which has been used to develop the FNDP. The statement also describes the consultation events and different methods of communication used by the FNDP group to ensure the FNDP reflects the views of the wider community. The Consultation Statement sets out all the comments received on the Pre Submission consultation (Regulation 14) and the subsequent modifications made by the FNDP group. The statement also describes all the community consultation events used by the FNDP group. More detail on consultation events and public engagement can be found on the Fittleworth Neighbourhood Plan webpage <a href="https://fittleworth-pc.org.uk/neighbourhood-development-plan/">https://fittleworth-pc.org.uk/neighbourhood-development-plan/</a></p>
3. Notificatio n of the NPA's decision	<p>The NPA must notify the parish / town council whether or not they are satisfied that the proposal complies with the criteria for a neighbourhood plan.</p> <p>Where it is not satisfied the NPA can refuse and must notify them of the reasons.</p> <p>It must also publicise its decision in a 'decision</p>	✓		<p>Confirmation of receipt of the NDP sent 24 January 2019</p> <p>N/A</p> <p>Published Submission checklist at</p>



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	statement'	✓		<a href="https://www.southdowns.gov.uk/planning/planning-policy/neighbourhood-planning/neighbourhood-development-plans/fittleworth-neighbourhood-plan/">https://www.southdowns.gov.uk/planning/planning-policy/neighbourhood-planning/neighbourhood-development-plans/fittleworth-neighbourhood-plan/</a> on February 14 2019
4. Publicising the NDP proposal	<p>SDNPA is required to publicise on its website:</p> <ul style="list-style-type: none"> <li>a. the details of the plan,</li> <li>b. where and when it can be inspected</li> <li>c. how to make representations on the plan proposals</li> <li>d. that a representation can include a request to be notified of the LPA decision on the plan proposal, and</li> <li>e. the deadline for receipt of representations</li> </ul> <p>The NPA is required to notify the bodies referred to in the consultation statement that the plan has been received as soon as possible.</p>	<p>✓</p> <p>✓</p>	Regulation 16	<p>SDNPA anticipate publication of the regulation 16 FNDP and supporting documents on Friday 22 February for a period of 7 weeks to 12 April 2019</p> <p>Notification will be sent 22 February 2019 (via email)</p>
5. Appointme nt of examiner	The NPA appoints an independent examiner with the consent of the parish / town council		1990 Act Schedule 4B para 6	To be appointed